IN THE PLANNING AND ENVIRONMENT COURT
AT BRISBANE

No. 2916/24

Between:	**David Manteit**	Applicant
And:	**Brisbane City Council**	First Respondent
	Adrian Schrinner	Second Respondent
	Kerrie Freeman	Third Respondent
	Susan Hedge	Fourth Respondent
	Sara McCabe	Fifth Respondent

AMENDED APPLICATION IN PENDING PROCEEDING (CONTEMPT OF COURT)

Introduction

1. This application is an amendment of the Application filed on on 28/11/25, Court document 64.

2. The original Respondent for 2916/24 is Brisbane City Council.

3. An separate application has been made to the Planning and Environment Court by the Appellant to join the following persons as Respondents to this Amended Application in Pending Proceeding -

Susan Hedge
Sara McCabe
Adrian Schrinner
Kerrie Freeman

These two applications should be read in conjunction with each other.

David Manteit
128 Ashridge Rd
Darra 4076
PH 0424 739 923
E: davidmanteit@hotmail.com

Index

4. Contempt by breach of an order or undertaking is regarded as a civil contempt unless “it involves deliberate defiance or, as it is sometimes said, if it is contumacious”: *Witham v Holloway* (1995) 183 CLR 525 at 530. See *He v Sun* (2021) 104 NSWLR 518 as to “contumacious disregard of orders”

5. It is alleged by Manteit that all the contempts of Court listed in this Amended Application in Pending Proceeding are to be considered contumacious, as the evidence is overwhelming that the actions or omissions by all contemnors/Respondents involve deliberate defiance of the Court and the court system.

Index

Index

1. Outline of this application……..…...5

2. Types of Contempt of Court alleged to have been committed……..……..9

3. Duty of care of a public utility – Flooding by Schrinner Council "Council"……..……....21

4. Duty to Disclose in Civil Proceeding (Qld)……..…..22

5. The Respondent's duty to disclose evidence ……..……..…25

.

6. Standard of proof of contempt of Court..……..…30

7. Orders sought……,..……30

.

8. Contempts of Court……,.....30

9. Documents to be relied on in this Application in Pending Proceeding……..……...69

10. Crime and Corruption Commission……..……..83

11. Brisbane City Council - Respondent……..…91

12. Susan Hedge - Respondent……..……92

..

13. Sara McCabe – Respondent ……...……..…..98

14. Adrian Schrinner – Respondent ……..……...121

.

15. Kerrie Freeman - Respondent ……..……..131

.

16. Failing by the Respondents to file and serve material to re relied on by the Court order date.……..……..…145

17. Withholding of engineering information of Council engineered source documents, to Manteit.……..……..…150

18. Right to Information document supplied by Schrinner Council
Court document 27 filed 27/3/25……..……..159

19. Schrinner Council employees flooded plan No. 3&4 DA approved plan 25/9/24
A06565555……..……172

20. Proposed orders by Manteit to the Court for hearing on 12-12-24 ……...211

21. Use of fake fill conditions removed by Schrinner's Council on 31-1-25.....……..213

22. Respondent's list of reasons why disputes conditions should be imposed……..……219

Index

23. Hearing 12-2-25……223

24. General directions of His Honour Judge Williamson KC on 12-2-25 for Council material to be filed……225

25. Hearing 14-4-25……229

.

26. Hearing 24-4-25 Susan Hedge states "it won't work" re Schrinner Council's flooded pipes, 5 minutes before the trial. ……278

27. Hearing 24-4-25. Susan Hedge lie re Council position statement……283

28. Hearing 24-4-25. Judge Williamson KC forced to not read any of the Respondent's material until end of pretrial hearing……288

29. Hearing 24-4-25, Susan Hedge - "He has everything in exactly the form that will be filed or relied on" - 5 hearing minutes before the trial……290

30. Hearing 24-4-25, "Is there any more from the Council's side I need to know about before Monday?" Susan Hedge "No, I don't think so"……296

31. Hearing 24-4-25. Susan Hedge lie in relation to timing of submission of engineers drawings – Condition 18……298

32. Hearing 24-4-25 Hiding by Susan Hedge of change to condition 17……305

33. Hearing 24-4-25 Susan Hedge . "Can I just put all the cards on the table, to assist, Your Honour ……307

34. Hiding of court doc 49 - Opening day of the trial 28-4-25……310

35. Court hearing 12-12-24……314

36. Susan Hedge requirement for the stormwater pipe "going straight through the middle of the lot."……317

37. Forcing of witnesses by Susan Hedge to change their witness statement re timing of the engineer submissions on day of trial……321

38. Offences committed by Manteit RPEQ engineer and plumber if the Council Upstream drainage pipes were designed by the RPEQ or built by Manteit……327

39. Corrigan report and witness statement……336

40. Corrigan's statements as a witness……355

41. Ryan report……366

42. Intentional withholding of Easement document by Schrinner Council, Council employees, Cr Schrinner and Dr Freeman……371

Index

43. Laws broken……..…….....477

44. Susan Hedge and Sara McCabe intentionally placed a fake name on court order 12-12-24…….....479

45. Thwarting and prejudicing of Manteit case……....482

1. Outline of this application

1. The Planning and Environment Court is the proper jurisdiction for this Application in Pending Proceeding (Contempt of Court).

S36 Contempt

1) *"A P&E Court judge has the same power to punish a person for contempt as a District Court judge.*

2) *The District Court of Queensland of Queensland Act 1967, section 129 applies to the P&E Court in the same way as it applies to the District Court."*

2. The appellant appealed against conditions imposed by the Brisbane City Council (Respondent).

3. Orders were made about the appeal by consent on 6 May 2025.

4. The Appellant has sought leave to join certain non-parties, due to their alleged committing of contempt of court in this case, by their direct involvement, control or responsibility of others.

The "non-parties" to this Application in Pending Proceeding, sought to be joined to this application are namely -

Adrian Schrinner
Kerrie Freeman
Susan Hedge
Sara McCabe

The non-parties have all had some interaction with this case and are also alleged to be culpabe of contempt of court.

5. In this Application in Pending Proceeding, the word "Respondent or Respondents", refers to the original Respondent Brisbane City Council and in addition, the joined Council "non-parties". All the Respondents past and present, are also all named, or deemed to be Contemnors. The words "Respondents" and "Contemnors" are therefore deemed to be and should be read as interchangeable in this Application in Pending Proceeding.

6. The "non-parties" are alleged to have either been Contemnors in their own right, due to some direct evidence of them having contempt by them, or alternatively have contributed to the contempt of Court in some way of the other Respondents to some extent.
It is alleged that Cr Schrinner and Dr Freeman have had control at all times of contempt of court committed by all the Respondents, by providing or omitting to provide instructions to Brisbane City

Council employees, Brisbane City Council, City Legal, Sara McCabe, Susan Hedge, Andrew Corrigan, Ryan and any subcontractor that has been paid by Council to perform duties on behalf of Brisbane City Council in this case Manteit V Brisbane City Council 2916/24.

7. If Cr Schrinner had responded to any one of the 7 letters sent to him prior to the Notice of Appeal, (filed 14-1-26) -

- 1/10/24 - 27 questions from Manteit of the Council easement, levels of pipes and pits
- 10/10/24 - Flooded Upstream Drainage calculations by Manteit showing nuisance flooding to Darra residents being 1.2m under the kerb, which may have caused loss of life.

Manteit would not have made application to the Court of Notice of Appeal 2916/24. The matter has been in his control from the beginning.

Cr Schrinner would also have been aware of the 13 letters and 108 pages of flood warnings to him, his 7-13 Council employees who prepared the flood calculations, City Legal and Sara McCabe who all never responded to Manteit's allegations. This non-action is shameful by Schrinner, as Lord Mayor.

If Cr Schrinner and Dr Freeman had met their obligations under the Crime and Corruption to to control the performance and behaviour of their staff, and respond to correspondence by Manteit, this case would never have been commenced.

8. Cr Schrinner and Dr Freeman should be held accountable, since they are required to take responsibility for the performance and behaviour of their own staff, as per Crime and Corruption Commission requirements, which is part and parcel of their positions. The same shameful non-response actions have continued, in relation to CCC dealings.

9. The **Crime and Corruption Commission** states in a letter to Manteit below, dated 17/9/25 that

"All government agencies including the Council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff"

"The CCC Act goes further, and in S35 provides the CCC, in performinng its corruption function, must focus on the more serious and systemic cases of corrupt conduct"

Index

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

10. It is alleged that the Respondent's breaches of court orders are Contumacious Breaches, meaning it is a willful, deliberate and obstinate defiance of a court order or legal authority.

Contempt by breach of an order or undertaking is regarded as a civil contempt unless "it involves deliberate defiance or, as it is sometimes said, if it is contumacious": *Witham v Holloway* (1995) 183 CLR 525 at 530. See *He v Sun* (2021) 104 NSWLR 518 as to "contumacious disregard of orders".

11. All the Respondents knew of the Court orders of 12/2/25 and 14/4/25 and specifically intended to deny both those orders, by filing all material to be relied on for the trial after 22/4/25, the latest required order date. Council requested continuous extensions from His Honour.

Schrinner Council and the other Respondents knew about the latest Court order of 14-4-25 and have deliberately committed acts of contempt of Court that breaches the order, by filing all material after 22-4-25.

This is not just a simple breach of filing. The Respondents had intentions and motives to delay filing.

The intentional delay in filing of material by the Respondents elevates the contempt from a civil contempt to a criminal contempt.

12. The intentional lying in Court by Susan Hedge on numerous occasions on 24-4-25, with Sara McCabe by her side, and handing over of documents such as Court order 23, compounded by the filing of Court document 49, in as little as one hour later after making various statements to His Honour Judge Wiliamson KC is beyond reasonable doubt as being contumacious contempt of Court and must be punished by a prison sentence to both.

Index

The acts alone by the Respondents to breach Court order of 14/4/25 should result in severe penalties imposed on the Respondents, including fines and imprisonment.

The Respondents had many motives for the contempt of court of not filing by the due date –

- **To ensure His Honour Judge Williamson KC had not read any of the Respondent's material, whatsoever, as evidenced by his statements on 24-4-25, for the whole case, as of 5 hearing minutes before the trial.**

24-4-25 Hearing, around 5 hearing minutes before the trial.

JUDGE WILLIAMSON

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

JUDGE WILLIAMSON

Yes, so I will take those.

SUSAN HEDGE

Yes, we're expecting the CEO, so I'm handing up, just to be clear on the record, an affidavit of... Kieran Ryan, dated 22 April 2025, and an affidavit of Andrew Dennis Corrigan, dated 22 April.

JUDGE WILLIAMSON

Thank you.

SUSAN HEDGE

The CEO certificate's expected to be signed today. Would it be suitable to simply file that document, or would you rather like a working copy delivered?

- Ensure that arguments of relevant material and evidence unfavourable to Council's case was hidden from the Court and the public.
- An attempt to ensure that the Appellant (Manteit's) case was prejudiced and compromised and would fail, by using dishonest practices and to fool the court.
- Avoid discussions in the trial of significant matters of the case being flooded (Eg Upstream and Onsite Drainage red lines).

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

- Avoid arguments of timing of submission of engineers drawings.

Could I make an amendment though to our conditions which is on page 12. **28-4-25**

Judge Williamson KC

Yes.

Susan Hedge **'the timing for 18A"**

Your Honour, we'll see timing right at the top of the page and that's the timing for 18A.

Judge Williamson KC

Yes.

Susan Hedge **Hedge - "that's just by error there"**

And the part that's underlined, which reads, and after approval is obtained from council about stormwater drawings, that's just by error there. That inclusion should be in 18B, because 18A is about obtaining approval.

Judge Williamson KC

Ah right

Susan Hedge **Hedge - "it doesn't make sense**

And so it doesn't make sense to obtain approval after you've obtained approval. So, in 18B, it should say timing prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings.

- Avoid unlicenced employee corruption charges by the CCC and adverse reputation of Cr Schrinner and Dr Freeman.

How we assessed your complaint

In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

Index

- Avoid new possible corruption charges against Cr Schrinner and Dr Freeman from the Crime and Corruption Commission of corrupt conduct themselves.

2. Types of Contempt of Court alleged to have been committed.

13. In this Application, the Appellant (Manteit) alleges the following type of contempts of Court -

14. (a) Disobedience

- There was disobedience of Court orders dated 14-4-25, which bound the Respondents to file all their material to be relied upon for the trial by 22/4/25. Agreement to extend the delay from 21/1/25 was argued against by Manteit, on 14-4-25, to His Honour. His Honour agreed to Hedge's request.

- There was extension by one day from 21/4/25, to 22/4/24, at the hearing, on 14-4-25 (transcript) The initial required date of 21/4/25 meant that the required buiness day was in effect Thursday, 17/4/25, so that makes it an extension of 6 calendar days to file, in reality.

- Then the witness statements were filed on 23/4/25, causing only one business day for review prior to the trial, by Manteit.

- Then all other Respondent material was filed on 24/4/25, after the pretrial hearing on 24-4-25. In the case of Doc 49, (and possibly 48) they were without His Honour's knowledge, at the time of the 14-4-25 hearing.

The "promised" mentionings by His Honour on12-2-25 for want of better words did not eventuate –

12-2-25

Judge Williamson KC

I don't tell you what evidence to lead. As it is, I'm treading very close to the line of giving you too much assistance. What I'm trying to explain to you is this. You have conditions you want the court to impose. This is the last time I'm going to say it. The conditions you want the court to impose.

You have an onus of proof. If you want those conditions imposed, you need to prove. Prove that those conditions should be imposed. That's the task that you have taken upon yourself by pursuing this appeal.

Yes, of course. So, to prove it, you're going to give some evidence yourself and you want to call some technical evidence, either from an engineer to explain why your condition is the right condition to impose. That's all I'm asking you to do. It is your case.

What you want to tell me about the condition or whoever the judge is, I should say, about the condition you want imposed on the approval. That's what it's about.

If the council has imposed an unlawful condition on 412 other reconfigurations of the lot, approved. Let's assume that's right.

This is not a Royal Commission into what the council has done on 412 other cases. It's about your case. And if your case proposes a condition that's different to the 412 other cases, let's focus on your condition. That's why I'm not particularly excited about, you heard me say, conspiracy theories in a royal commission. That's not the task the court is charged with. So all I'm asking is you to do this. Everything you want the court to take into account in support of your case, provide it to the council.

The whole picture.

Council will respond, and then all of that material will be brought to, probably me, and we'll work through it. That's what we will do.

Judge Williamson KC - "Council will respond and then all of that material will be brought to, probably me, and we'll work though it. That's what we will do."

12-2-25 - Judge Williamson KC -

"When all the material is exchanged, we'll come back for a mention and we'll make sure everything's in place and then at that mention I will make directions about provision of submissions."
Can we set that, is there is there any reason that could not be in the week of 14th of April?

Judge Williamson KC

No, no, what I would like to do is when all the material is exchanged, we'll come back for a mention and we'll make sure everything's in place and then at that mention I will make directions about provision of submissions. Can we set that, is there any reason that could not be in the week of the 14th of April?

So what about Monday the 14th of April? A review on that date.

12-2-25 Judge Williamson KC - "So 31st March for Mr Manteit and then three weeks later for the Council (21-4-25)"

Judge Williamson KC

like to mention. Okay, well, I've just got another trial waiting, Mr. Manteet, so I don't have too much more time, but... You have 10 seconds if you'd like. If I can just finish the directions for the trial, and then, yes. So, I have the Brisbane City Council order in front of me. So, leave paragraph number one, that is the appeals case managed by me. and can we delete, I said can I ask the council to look back to this and have a draft order that deletes paragraphs 2 through to 7 and replaces it with an exchange of material as we discussed.

So the 31st of March for Mr Manteit and then three weeks later for the council, and the appeal obviously listed for three days commencing the 28th of April. Right. And if that order can be prepared and then sent to my associate, I'll make the order in Chambers.

But the idea is that the material provided is everything that both sides want to rely upon at the hearing? Yes. Does that make sense? So if it's expert reports, it's whatever it might be, the full gamut.

12-2-25 Judge Williamson KC - "the idea is that the material provided is everything that both sides want to rely on upon at the hearing?.....whatever it might be, the full gamut"

12-2-25

Judge Williamson KC - "you give the Council all the material you want to rely upon a trial and then I'm going to ask the council to do the same in rturn, and then we are going to trial

Judge Williamson KC

I do mind. You've had plenty of opportunity. It's my turn. Sorry. This is what I'm going to do. I'm going to order the matters case managed by me. There are not going to be any joint meetings. What we're going to do is, we're going to do this old school.

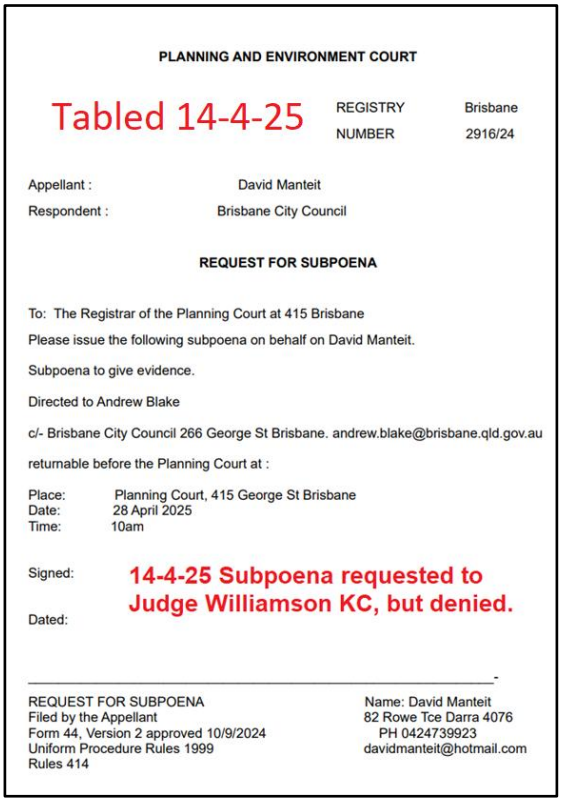
There's going to be an exchange of material. So Mr. Manteit, you bear the onus, you give the council all the material, you want to rely upon a trial, and then I'm going to ask the council to do the same in return. and then we are going to trial.

And do we have the trial calendar here? Have you got your diary there Ms Hedge?

Index

His Honour's comments 12-2-25

- "and we'll work through it" did not eventuate
- "When all the material is exchanged" did not eventuate
- "and I'm going to ask the Council to do the same in return" did not eventuate
- "the idea is that the material provided is everything that both sides want to rely upon at a the hearing,,, whatever it might be, the full gamut" did not eventuate.



PLANNING AND ENVIRONMENT COURT

Tabled 14-4-25

REGISTRY Brisbane
NUMBER 2916/24

Appellant : David Manteit
Respondent : Brisbane City Council

REQUEST FOR SUBPOENA

To: The Registrar of the Planning Court at 415 Brisbane

Please issue the following subpoena on behalf on David Manteit.

Subpoena to give evidence.

Directed to Andrew Blake

c/- Brisbane City Council 266 George St Brisbane. andrew.blake@brisbane.qld.gov.au

returnable before the Planning Court at :

Place: Planning Court, 415 George St Brisbane
Date: 28 April 2025
Time: 10am

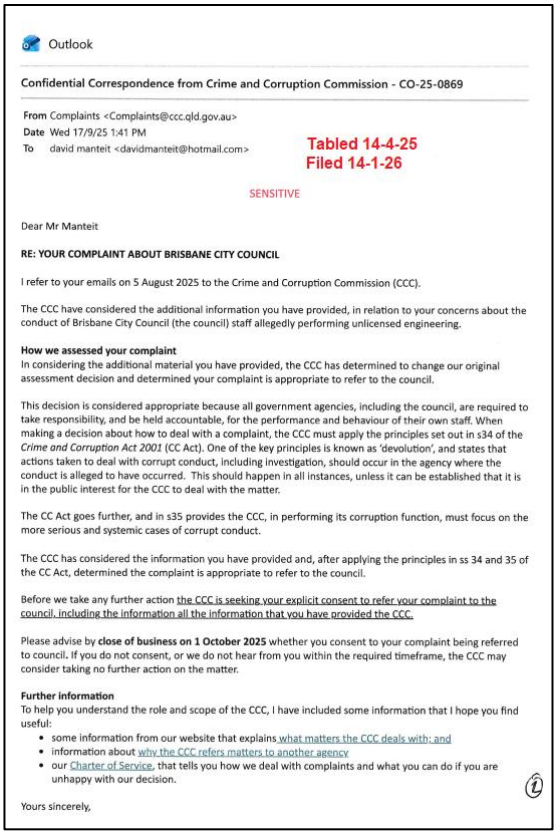
Signed:

14-4-25 Subpoena requested to Judge Williamson KC, but denied.

Dated:

REQUEST FOR SUBPOENA
Filed by the Appellant
Form 44, Version 2 approved 10/9/2024
Uniform Procedure Rules 1999
Rules 414

Name: David Manteit
82 Rowe Tce Darra 4076
PH 0424739923
davidmanteit@hotmail.com



Outlook

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

Tabled 14-4-25
Filed 14-1-26

SENSITIVE

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

The CCC has considered the information you have provided and, after applying the principles in ss 34 and 35 of the CC Act, determined the complaint is appropriate to refer to the council.

Before we take any further action the CCC is seeking your explicit consent to refer your complaint to the council, including the information all the information that you have provided the CCC.

Please advise by **close of business on 1 October 2025** whether you consent to your complaint being referred to council. If you do not consent, or we do not hear from you within the required timeframe, the CCC may consider taking no further action on the matter.

Further information
To help you understand the role and scope of the CCC, I have included some information that I hope you find useful:

- some information from our website that explains what matters the CCC deals with; and
- information about why the CCC refers matters to another agency
- our Charter of Service, that tells you how we deal with complaints and what you can do if you are unhappy with our decision.

Yours sincerely,

Index

In the Planning and Environment Court
Held at Brisbane

Appeal 2916 of 2024

Between :	**DAVID MANTEIT**	Applicant
And:	**BRISBANE CITY COUNCIL**	Respondent

ORDER

Before: **His Honour Judge Williamson KC**
Date of hearing: **14 April 2025**
Date of order: **14 April 2025**

IT IS ORDERED THAT:

1.The Court shall sign the seven Form 42 forms Subpoena to give Evidence and the seven Form 44 Request for Subpoena forms for each of the following persons to be required to be a witness in the Trial on 28/4/25, for questioning by David Manteit and His Honour only.

Andrew Blake Roger Greenway Lucy Ting
Scott Ruhland Joel Wake Zamdra Piper
Margaret Orr

2. The Appellant shall be allocated a total of 2.5 hours for questioning the witnesses in 1, commencing 10am 28 April 2025.

3. The Respondent, is to include the following information in the material they rely on, to be filed and served by 21/4/25 –

Responses to the Appellants' list of matters to be reponded to as stated in S150 of the Appellant's Submissions for Trial.

The responses shall include what engineering calculations were performed by the Respondent that resulted in the approved Upstream and Onsite Drainage systems amended plan in red.

In addition the following proof is required:

"The following proof is required: (by Council)"

The stormwater pipes would not be charged at any point.
The flow is less than 30 l/s at the kerb.
The engineering complies with all Council laws and QUDM
The engineering complies with the Rational Method.
The names of the person/s who engineered the stormwater systems
There were no unlicenced engineers who performed engineering
There would be no downstream flooding, causing damage to people and property. (QUDM).
Assessment of engineering was carried out with due diligence and not gross negligence.

4. The list of witnesses and their phone number that each party proposes to attend trial to be advised to the Court and the other party by 5pm 14/4/25.

5. His Honour and the Respondent shall acknowledge to the Appellant the existence of the correspondence to the Appellant from the Crime and Corruption Commission dated 24/3/25.

6. His Honour to make findings in his final judgement of any Unsatisfactory Professional Conduct Unlicenced engineering, Gross negligence in respect of assessment, or any suspected offence of S289 of the Criminal Code.

ORDER

Filed by the Appellant : David Manteit
82 Rowe Tce Darra 4076.
Ph PH 0424 739 923
davidmanteit@hotmail.com

Tabled by Manteit 14-4-25, filed 14-1-26

Index

His Honour's comments 14-4-25

14. Note that Manteit tabled proposed orders to His Honour and Hedge in the first minute at the hearing on 14-4-25, filed 14-1-26 and above.

"We've got some proposed orders there, Your Honour" (filed 14-1-26).

"Now there's one document from the Crime and Corruption Commission" (filed 14-1-26)

Hearing 14-4-25 – full transcript

Judge Williamson KC

Manteit in Brisbane City Council.

Susan Hedge

May it please the report, my name is Hedge, H-E-D-G-E, initials S-J. I appear for the Respondent Brisbane City Council, instructed by City Legal. Thank you.

David Manteit

Your Honour, if I could just seek leave to to pass this over there to yourself and ultimately respond there. We've got some proposed orders there, Your Honour.

And I probably need about 15, sort of 20 minutes, given the period, that I just need to go through some of these.

Now, there's one document that's not filed, and that is a letter from the Crime and Corruption Commission.

Those proposed orders by Manteit, on 14-4-25 included –

- *The Court shall sign the seven Form 42 forms "Subpoena to give evidence"… for each of the following persons ……..."*
- ***"The Respondent is to include the following information in the material they rely on, to be filed and served by 21/4/25 –"***
- *"The responses shall include engineering calculations were performed by the Respondent that resulted in the Approved Upstream and Onsite Drainage systems amended plan in red."*

'In addition, the following proof is required –"

The responses shall include what engineering calculations were performed by the Respondent that resulted in the approved Upstream and Onsite Drainage systems amended plan in red.

In addition the following proof is required:

The stormwater pipes would not be charged at any point.
The flow is less than 30 l/s at the kerb.
The engineering complies with all Council laws and QUDM
The engineering complies with the Rational Method.
The names of the person/s who engineered the stormwater systems
There were no unlicenced engineers who performed engineering
There would be no downstream flooding, causing damage to people and property. (QUDM).
Assessment of engineering was carried out with due diligence and not gross negligence.

14/4/25
"The following proof is required: (by Council)"

Index

"extends the date for delivery of council's material to the 22nd?"

"If there's still gaps that Mr Monty wants to be heard about,
we'll get the argument underway"

"So we might wait until the 22nd and there's an opportunity to review the material and if there is a need to persist with any relief sought in the document"

"You won't be cut out of that"

"box… at least a little bit at shadows amongst other things"

"The council's going to deliver its material"

"just I think we're jumping at shadows at the moment "
"

"You're jumping the gun at the moment

"You're going to get that on the 22nd of April, of which you'd like to know earlier"

"If there's still gaps that Mr Monty wants to be heard about,
we'll get the argument underway"

"If it's the case that there's a flurry of activity and there's still some issues around the subpoenaed witnesses, gaps in material, and we might need to try and get to the bottom of that before the trial starts, then let me know."

"before the trial starts"

Judge Williamson KC **14-4-25**

I'm going to ask the Council to be responsible for that in this sense –

If it's the case that there's a flurry of activity and there's still some issues around the subpoenaed witnesses, gaps in material, and we might need to try and get to the bottom of that before the trial starts, then let me know.

Index

Judge Williamson KC

Yeah, but you're jumping the gun. You're jumping the gun. Please don't think I'm expressing views about whether your concerns are valid or otherwise.

I just think we're jumping at shadows just at the moment.

Judge Williamson KC **14-4-25**

You see? No, no. I think we're jumping the gun. We're jumping the gun.

The council's going to deliver its material.

Judge Williamson KC 14-4-25

Well, you're going to find out on the 22nd of April, which you'd like to know earlier.

Judge Williamson KC 14-4-25

Right. So can at least, sorry, I'll hear from you. You can say whatever you wish in a moment, say for any submission about scandalous material.

But in terms of a draft order, if you don't already have one, can I have one that extends the date for the delivery of council's material to the 22nd?

Judge Williamson KC

I'm just starting high level. I'm starting at a high level. Don't be concerned that I'm trying to condense things into a nutshell.

There will be time for detail.

You won't be cut out of that. 14-4-25

Judge Williamson KC **14-4-25**

Just let my associate know and we'll list if there's a problem. ?

If there's still gaps that Mr Monty wants to be heard about, (At the pretrial hearing) we'll get the argument underway.(At the pretrial hearing).

Susan Hedge

well, we don't agree to any of the orders sought in that material that Your Honour's been handed. (Manteit's proposed orders) I'm sure Your Honour understands that. I'm not sure the basis on which, whether Your Honour's taking that material to be filed.

Judge Williamson KC **14-4-25**

No. No. What I'm going to do is leave it with the file in a physical sense. Yes. And as I said to Mr. Monty, it (Manteit's proposed orders) seems to box... at least a little bit at shadows amongst other things.

So we might wait till the 22nd and there's an opportunity to review the Council's material and if there is a need to persist with any relief that's sought in that document, (Manteit's proposed orders) we can deal with that at a future date.

But I'm not making any orders for leave. I'm not going to leave the file and read. It's (Manteit's proposed orders) Its just physically sitting with the file and no more.

Judge Williamson KC **14-4-25**

We can concentrate on that (The Crime and Corruption Commission), when we get to the 28th, 29th, 30th, or whatever the three days are. Right. Thank you, Mr Monty.

Index

His Honour's comments 14-4-25

"extends the date for delivery of council's material to the 22nd?"

In relation to Manteit's proposed orders and the latest expectations of His Honour for the pretrial hearing on 24-4-25 -

Manteit 16-1-26 - There was no way for His Honour to "review the material "(except Manteit material) on 24-4-25 since His Honour had not sighted any material prior to the trial.

Five minutes before the end of the hearing, Hedge made various statements including –

"It won't work"

His Honour replied -

"Well there you go"

That was no review of the Respondent's material prior to the trial (except the balance of the day, 24-4-25 after the hearing and the Anzac Day weekend).

In addition, His Honour's general indications on 12-2-25, and 14-4-25, could not be acted on by His Honour, since he hadn't read any of the

This has severely compromised Manteit's ability to prosecute his case.

15. (a) Duty to Disclose in a Civil Proceeding, Uniform Civil Procedure Rules 1999 - Reg 211 - Withholding of engineering

- **There was withholding and refusal by Schrinner Council, Cr Schrinner, Dr Freeman and Sara McCabe** to provide requested engineering information by Manteit on Council and Council engineered source documents, prior to Notice of Appeal, on at least 13 occasions, by letters and phone calls, from Manteit (DA applicant) between 1/10/24, to 12/11/24, to the Lord Mayor, Sara McCabe, Council employees and City Legal, prior to the Notice of Hearing 19/11/24 and also by Manteit (Appellant) during the case 2916/24, after 19/11/24, to 30-4-25.

Index

- These **Council engineered source documents** were in the **direct possession of Brisbane City Council.**

- These Council documents were **engineering documents, requiring an RPEQ to be the author**, not just conditions, like landscaping or building shadows. Engineering documents invite scrutiny by many parties, including the RPEQ peers, the CCC and the Board of Professional engineers, as well as Manteit.

- The conditions 12,17 and 18 relating to instructions to place fill, also require a Council Civil RPEQ engineer and Manteit has a right to know where on site the fill is required to be placed, because a Council Civil RPEQ has calculated all these requirements. Although it now seems it was just thumbs to the air from an unlicenced Council employee, like Scott Ruhland who stated in RTI material (filed) "Any engineering questions see me."

- **Council employees are controlled by Freeman and Schrinner and were the author of these documents. Not the Appellant (Manteit).**

- These Council engineered source documents were directly **relevant to Manteit's allegations**. Manteit has never withdrawn any of his allegations or statements whatsoever, made in correspondence and affidavits by him, prior to the Notice of Appeal, 19/11/24 and after the date of Notice of Appeal, 19/11/24, to present.

- These Council and Council employee authored engineered source documents were a significant issue, in this case. (Susan Hedge 28-4-25, 10 minutes in)

- The duty of disclosure by Schrinner Council and the Respondents continued until the proceeding was decided, on 30-4-25.

"UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

15. Duty of disclosure – withholding of information of Council documents

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings - directly relevant to a matter in issue in the proceeding.
Note -

Under the *Acts Interpretation Act 1954* , *schedule 1* -

"document" -

(a) means a record of information, however recorded; and
(b) includes -
(i) anything on which there is writing; and
(ii) anything on which there are marks, symbols or perforations having a meaning for persons

qualified to interpret them; and
(iii) an electronic document.
(2) The duty of disclosure continues until the proceeding is decided.
(3) An allegation remains in issue until it is admitted, withdrawn, struck out or otherwise disposed of"

16. The specific significant Council engineered source documents held in Council's possession were, are -

- Right to Information - Council employee engineered Upstream and Onsite Drainage Plans red stormwater lines, including levels of pipes. Notes of 225mm and 150mm pipes.
- DA approved Council employee engineered Upstream and Onsite Drainage Plans red line stormwater lines and conditions.
- DA approved Council easement in red, .9m wide on plan.
- DA approved pipes shown in red 225mm and 150mm.
- DA approved Council employee RPEQ engineered fill conditions

17. Cr Schrinner (7 direct letters), Council employees, Sara McCabe, City Legal, all refused to respond to Manteit's 13 letters of 108 pages (filed 4-12-24 and 14-1-26) and supply any information to Manteit, on the above engineered and authored source documents to Manteit, prior to the Notice of Appeal, 19/11/24.

18. If Cr Schrinner or Dr Freeman or any Council employee or City Legal had responded to one email from Manteit, the court case 2916/24 would never had been commenced by Manteit.

In the face of the Court

19. This may include -

- Lying to a judge to his face, at a particular Court hearing. For example, Susan Hedge lying to the Court on 24-4-25. The acts of contempt of Court were evidenced as being contempt by either –

(a) the facts on that contempt by reference to a document, such as filing of Court document 49, in as little as one hour later, on 24-4-25, or alternatively

(b) 5 minutes after the trial commenced, which is overall 10 hearing minutes later.

An Act of Omission by not disclosing to the court of a material matter to the case, in your control.

20. All Respondents have withheld engineering information being a material and significant matter to Manteit's case, and a subject of Manteit's allegations, in the control of, engineered by, and authored by Brisbane City Council employees, who Cr Schrinner and Dr Freeman have a duty to control their performance and behaviour.

Index

Criminal Contempt

21. Criminal contempt, being intentional acts that challenge the court's authority. This includes lying directly to a judge. In this Application, all contempts of Court are considered to be contumacious and therefore meet the criminal standard of contempt.

Inciting others to commit criminal offences

22. Schrinner Council have produced and paid for 8 flooded plans in 2916/24 so far. The preparation of, producing and paying for 8 flooded plans by Council is inciting the owner to cause nuisance flooding to the residents of Darra and loss of life, by constructing of those flooded plans.

All of the Respondents have accepted the Corrigan evidence which has produced 4 flooded plans.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Cr Schrinner and Dr Freeman have gone to great lengths to spend an estimated $300,000 of ratepayers money on 8 flooded flooded plans instructed by them. Cr Schrinner, Dr Freeman.

Susan Hedge accepted all Corrigan's evidence of flooded plans to create nuisance flooding and potential loss of life.

Bringing the court into disrepute.

23. The actions by the Respondents are considered to be be an interference with the due administration of justice, with (a) some acts of contempt of Court, directly, as a one off, or in a particular case and (b) as part of a continuing process.

Disobedience of court orders

24. There has been undeniable disobedience of court orders: see *AMIEU v Mudginberri Station Pty Ltd* (1986) 161 CLR 98; *Witham v Holloway* (1995) 183 CLR 525 and *O'Shane v Channel Seven Sydney Pty Ltd* [2005] NSWSC 1358.

DISTRICT COURT OF QUEENSLAND ACT 1967 - SECT 129

Contempt

129 Contempt

(1) A person is in contempt of the District Court if the person—

(a) without lawful excuse, fails to comply with an order of the court (other than an order mentioned in *paragraph (e)*), or an undertaking given to the court; or

(b) wilfully insults a judge or juror, or a registrar, bailiff, or other court officer during the person's sitting or attendance in court, or in going to or returning from the court; or

(c) wilfully interrupts the proceedings of the court or otherwise misbehaves himself or herself in court; or

(d) unlawfully obstructs or assaults someone in attendance in court; or

(e) without lawful excuse, disobeys a lawful order or direction of the court at the hearing of any proceeding; or

(f) commits any other contempt of the court.

(2) A District Court judge has the same power to punish for a contempt mentioned in *subsection (1)* as a Supreme Court judge would have if the contempt were a contempt of the Supreme Court.

(3) If the contempt is in the face of the court, a bailiff or other court officer acting under the court's order may, using necessary and reasonable help and force, take the person committing the contempt into custody and detain the person until the court rises.

District Court of Queensland Act 1967 – SECT 129

Index

25. Contempt of Court – a person is in contempt of the District Court if the person… (a) … fails to comply with an order of the court.

26. In this case, Council and the Respondents have failed to comply with an order of the Court, of 12-2-25, which provided that the Respondents serve and file all material for the trial, by 21-4-25, although the compliance date was extended at the hearing on 14-4-25, to 22-4-25.

27. Due to Easter, the filing requirement meant that the original date to comply was 17-4-25.

On 14-4-25, the Respondents requested and were granted an extension until 22-4-25, of which Manteit made argument in Court to reject, on 14-4-25.
Court document 49 was filed at an unknown time on 24-4-25, but could have been filed anytime. on that day. The security section of the Registrar has stated that security video is unavailable.

28. Sara McCabe advised Manteit of all the files Council he wished to be relied upon on 22-4-25, around 6.27pm by email. (filed 14-1-26). So no Council material for their case was filed or served by Council by 5pm on 22-4-25.

SUPREME COURT
OF QUEENSLAND

QUEENSLAND MAGISTRATES COURTS CONFERENCE

24 MAY 2023

CONTEMPT

Chief Justice Helen Bowskill[1]

Queensland Magistrates Courts Conference 24-5-23 Contempt Chief Justice Helen Bowskill

[6] Second, s 50 of the *Magistrates Courts Act 1921* (Qld), which applies more generally.[3] Section 50 reads in part as follows:

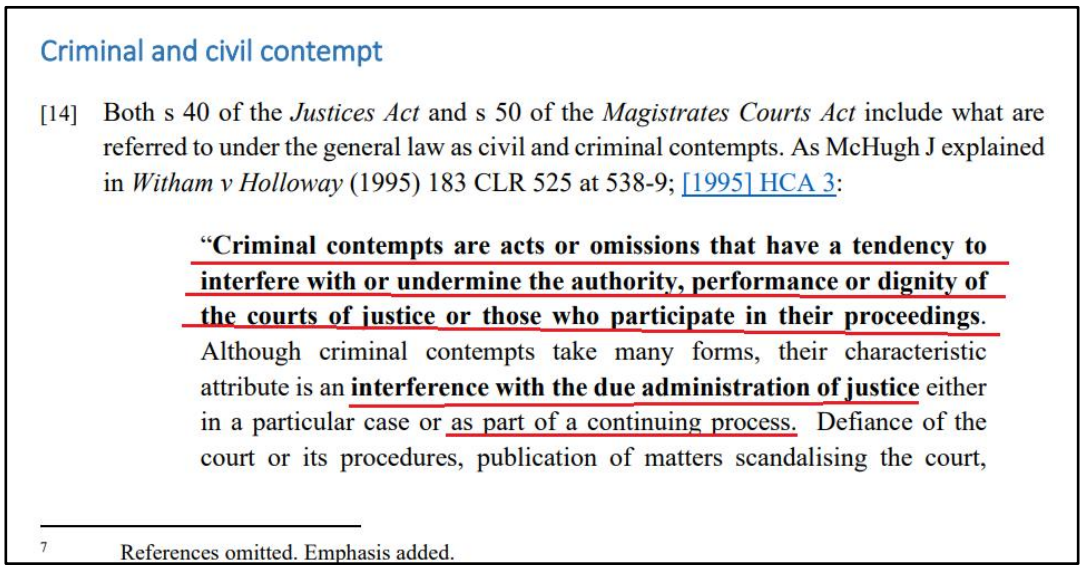
> "(1) A person is in contempt of a Magistrates Court if the person –
>
> (a) without lawful excuse, **fails to comply with an order** of the court, other than an order mentioned in paragraph (e), or an undertaking given to the court; or
>
> (b) **wilfully insults** a magistrate or registrar, bailiff, or other court officer during the person's sitting or attendance in court, or in going to or returning from the court; or

[12] As the High Court said in *Lewis v Ogden* (1984) 153 CLR 682 at 693; [1984] HCA 26:

> "the contempt power is exercised to vindicate the integrity of the court and of its proceedings; it is rarely, if ever, exercised to vindicate the personal dignity of a judge."

[13] It is a power that should be used with caution, sparingly and only when necessity demands.[10]

Index



Criminal and civil contempt

[14] Both s 40 of the *Justices Act* and s 50 of the *Magistrates Courts Act* include what are referred to under the general law as civil and criminal contempts. As McHugh J explained in *Witham v Holloway* (1995) 183 CLR 525 at 538-9; [1995] HCA 3:

> "**Criminal contempts are acts or omissions that have a tendency to interfere with or undermine the authority, performance or dignity of the courts of justice or those who participate in their proceedings.** Although criminal contempts take many forms, their characteristic attribute is an **interference with the due administration of justice** either in a particular case or as part of a continuing process. Defiance of the court or its procedures, publication of matters scandalising the court,

7 References omitted. Emphasis added.

Environmental Defenders Office

Contempt of Court –

29. "Contempt of court is the rule that a court may impose a penalty on those who interfere with the administration of justice or disregard the authority of the Court.

The rule was developed to ensure that:
(a) justice is appropriately and efficiently administered without disruption;
(b) court proceeding proceed fairly without external influence; and
(c) the authority, confidence and respect of the court is not undermined. Who does contempt of court apply to?

The rule of contempt of court applies to everyone. This means that anyone can be found guilty of contempt of court including: • the parties to court proceeding; • lawyers representing those parties; • jury members and witnesses; • court officers themselves; • the media reporting on a hearing; and • the public at large.

What words or actions constitute contempt?
"In Queensland, there are also specific behaviours which legislation deems contempt of court.3

These include:

(a) insulting a judge or witness"
Judicial commssion of New South Wales

Contempts of court still fall to be classified as civil or criminal. Contempt by breach of an order or undertaking is regarded as a civil contempt unless "it involves deliberate defiance or, as it is sometimes said, if it is contumacious": *Witham v Holloway* (1995) 183 CLR 525 at 530.

Index

This Application

30. It is alleged that the contempt by breach of an order, in this case in relation to filing of the Respondent's material for the trial is criminal, since, but not limited to the following reasons -

- There has been withholding of engineering information of Council engineered and authored source documents such as surface levels and invert levels of flooded Upstream Drainage pipes by 1.2m.
- There have been lies told to the Court about the lodging of Document 49 and other matters.
- All files, not just one file, were intentionally lodged by Council after 22-4-25, being outside the required date mentioned on court order 14-4-25.
- CEO Dr Freeman has intentionally caused contempt of court by signing affidavit 50 and 51, on 24-4-24, making it an impossibility to not be in contempt of court by virtue of the signing date being after the required date of 22-4-25. These affidavits could have been signed long before 24-4-25.

3. Duty of care of a public utility – Flooding by Schrinner Council "Council"

31. Schrinner Council has paid for or instructed for the preparation of **8 illegal flooded stormwater plans,** so far, on behalf of the residents of Brisbane.

This is the only case approved of 412 cases in the 2024 calendar year that Council employees designed and engineered any stormwater plan whatsoever, let alone being a plan being flooded.(Filed report - Manteit)

All of the stormwater plans produced or instructed by Brisbane City Council, flooded under the kerb of 128 Ashridge Rd Darra produce between 410,000 litres per hour to 615,000 litres per hour at the kerb, in a C1 or C20 flood. This is greater than the lawful 30 L/s, in contravention of PSP7.6.3.1 (2).

It is the Council proposition that 4,000 square metres of 3 story dwellings, and perhaps up to 100 dwelling units are to share tiny one kerb adaptor in Ashridge Rd.

Schrinner Council, Cr Schrinner and Dr Freeman, in their 8 flooded plans, allegedly insist on creating a flooding nuisance to the residents of Darra, and potential loss of life, based on Corrigan flood calculations. They paid Council employees for 4 flooded plans. Then they paid Corrigan for another 4 flooded plans. That i

Schrinner Council, Cr Schrinner and Dr Freeman have allegedly had total disregard for the safety of Darra and Brisbane residents, due to the consequences of their illegal flooded stormwater plans have been built.

Duty of care of a public utility - Council approved plans with fake flooded red stormwater lines, fake flooded engineering conditions and fake fill conditions.

Index

32. Laws came into effect on 1-8-25 that owners are required to make a declaration of any adverse pipes on their block.

All owners of properties in Brisbane should be concerned that they may not be able to sell their own houses should Council employees have place flooded hydraulic plans on their lot.

The public should now be made aware that Council may have placed an illegal flooded stormwater plan on their own property.

The Real Estate Institute of Queensland have interest in these matters.

4. Duty to Disclose in Civil Proceeding (Qld)

---

33. If a party is represented in a proceeding, that party's legal representatives have an obligation to advise them of their disclosure obligations under Part 1, Chapter 7 of the Uniform Civil Procedure Rules 1999 (UCPR). This article deals with the duty to disclose in civil proceeding in Queensland.

What is disclosure?

After the pleadings have closed in a civil matter, the parties are required to complete disclosure. This means that parties must disclose and inspect each other's documentary material that is relevant to the proceeding.

Duty to disclose

Under Rule 211(1) of the UCPR, a party to a proceeding has a duty to disclose documents to each other party to the proceeding.

This includes documents that are in that party's possession and/or under the control of that party, and which are directly relevant to an allegation in issue in the pleadings, or if there are no pleadings, which are directly relevant to a matter in issue in the proceeding.

On 28-4-25, Susan Hedge stated that timing of submission of engineering drawings was a significant issue in this case. His Honour stated "yes".

Here, "pleadings" refer to documents such as a Claim, Statement of Claim, Notice of Intention to Defend, Defence and Reply.

Accordingly, if the proceeding is started by a Claim and Statement of Claim, then the parties have a duty to disclose all documents which are directly relevant to an allegation in issue in the Statement of Claim.

A "document" is not defined narrowly. Schedule 1 of the Acts Interpretation Act 1954 prescribes that a "document" includes any paper or other material on which there is writing, or on which there are marks, figures, or symbols, and any tape or other article or any material from which sounds, images or writings can be produced – with or without the aid of another article and/or another device.

Index

A “document” is said to be in a party’s possession or under a party’s control if that party:

- has actual physical possession of it;
- can exercise direction over it – that is, it is not in that party’s possession, but that party still has power and/or control over it; or
- if possible, can acquire it from a government or other authority.

A document will be found to be directly relevant to an allegation in issue in the case in which it tends to prove or disprove an allegation in issue.

The question as to whether a document proves or disproves a fact or issue in a proceeding is not relevant.

If a document disproves a fact that a party has alleged, if it is in that party’s possession or under that party’s control and is directly relevant to an allegation in issue, it must be disclosed despite the fact that this could be unconstructive for that party’s case.

Further, entire copies of documents should be disclosed. In some cases, irrelevant material in a document can be redacted, meaning that it can be deleted by striking it out.

However, it must be disclosed to the other party, so it is apparent to the other party that the material that has been redacted and/or struck out is in fact irrelevant.

Under Rule 211(2) of the UCPR, the duty of disclosure continues until the proceeding is decided by the court.

This means that if new evidence comes into a party’s possession or under a party’s control at a later stage during the proceeding, this evidence must be disclosed to each other party to the proceeding. In this event, a supplementary list of documents will likely need to be prepared.

When is an allegation in issue?

34. Under Rule 211(3) of the UCPR, an allegation is in issue until it is admitted, withdrawn or otherwise struck out. If a party files a defence and admits to an allegation set out in the Statement of Claim, as this allegation has been admitted, this allegation is no longer in issue, meaning that any disclosure as to this allegation will not be required.

A party will be found to have properly performed disclosure by giving to the other party a list of documents, or at the other party’s request, by giving to the other party, copies of the documents referred to in the list of documents.

Documents to which the Duty to Disclose does not apply

37 Rule 212(1) of the UCPR prescribes that the duty of disclosure does not apply to:

- documents in relation to which there is a valid claim to privilege from disclosure, such as:

- all correspondence and copies of correspondence passing between a party and that party’s legal practitioner;
- all communications passing between a party and that party’s legal practitioner, such as all file notes made by either that party or that party’s legal practitioner during the course of, or

in contemplation of, a proceeding, with an intention to, or for the dominant purpose of, legal advice as to it, or evidence to be used in it, or which could lead to the acquisition of such evidence, or for the use of either of that party or that party's legal practitioner in relation thereto, or in relation to confidential communications;

- all communications passing between a party and that party's legal practitioner and third parties during the course of, in contemplation of, a proceeding;
- all statements and draft statements made by a party and that party's legal practitioner; and
- all communications which are against the public interest, and/or which would tend to expose a party to criminal and/or civil penalty;
- documents in relation to credit only; and
- copies of documents already disclosed to the other party to the proceeding, which contain no alteration, obliteration, or other marks likely to affect the outcome of that proceeding.

35. The abovementioned documents must still be disclosed in the list of documents; however, they are not required to be sent to the other party to the proceeding and/or made ready for inspection by the other party, unless the court orders otherwise.

36. Despite the above, however, Rule 213 of the UCPR stipulates that the other party to the proceeding, (ie the party not claiming privilege from the disclosure of a document) can challenge the party's claim to privilege by requiring that party to file and serve on them an affidavit stating the basis of the claim within 7 days of the challenge.

37. It is not necessary that the affidavit be made by the party challenging the other party's claim to privilege; however, the affidavit must be made by an individual that is privy to the facts and circumstances relevant to the claim.

5. The Respondent's duty to disclose evidence - The difference in this case.

Difference in Council's assessment procedures and processing of the DA approval to any other approval

1. In this case, unlike any of the other Council subdivision DA approved 412 cases in the calendar year, 2024, audited by Manteit, (filed by Manteit 27-1-25), instead of Schrinner Council picking up rubbish and being DA assessment managers only, they (Council employees) became –

- Corrrupt (alleged CCC 17/9/25) and incompetent Hydraulic engineers that prepared Council employee authored non – RPEQ certifies engineered stormwater plans
- Unlicenced and incompetent Hydraulic engineers that prepared Council employee authored non – RPEQ certified, engineered stormwater conditions
- Unlicenced Civil engineers that prepared Council employee, non- RPEQ certified engineered, engineered fill conditions, 12, 17 (part), 18 (part).
- A council who instructed an incomptetent witness to prepare another 4 flooded stormwater plans

2. As a **consequence of these corrupt and incompetent actions**, totally paid for, instructed by, and sadly, not audited or controlled by -

- Schrinner Council
- Cr Schrinner
- Dr Freeman

3. Difference as to posession of evidence at law.

In this case, the DA approved Council employee authored engineered source documents are in the Council's possession, not the Appellant's possession.

3. Manteit could not build those DA approved Upstream Drainage and Onsite Drainage pipes since the information was not supplied, as requested from Lord Mayor, Council employees, City Legal, commencing 1/10/24 with a phone call to Wake, and a letter of 27 questions, letter of 14/10/24 (filed 4-12-24 and 14-1-26).

4. In addition, Manteit worked out they were flooded, and sent Council letters on 10/10/24 and 14/10/24 with cross sections and excel spreadsheets demonstrating Council employee pipes will flood Darra residents and cause loss of life.

5. Manteit RPEQ could not design the DA approved Upstream Drainage flooded pipes without losing his licence for the rest of his life.

Index

6. Manteit RPEQ could not design any modification to the pipes, without contravening S164 and a fine of $164,00

Unlawful evidence (3 different types of circumstances).

7. All the Council engineered source documents have been found to be unlawful, including fill conditions, Upstream Drainage and Onsite Drainage pipes. The most serious law broken is PSP 7.6.1 which provides that there shall be no nuisance flooding, causing loss of life. (Refer also QUDM)

An unlawful Council condition (or red line) should never be allowed to be a condition at the start of a Notice of Appeal, or worse, remain as a condition at the end of a trial, after any person reviewed the email of Ting on 2/9/24 when advised 13 Council employees that her plan was “accurate” .

Where was Cr Schrinner and Dr Freeman then, who have responsibility for the performance and behaviour of their staff. (CCC).?

Council conditions were unlawful by way of Newtons Laws and Council’s own laws.

The Planning Act is silent on the treatment of Council authored unlawful evidence, which may this may be the first case in 100 years where Council have become the producer of unlawful engineered source documents, and therefore have a duty to disclose their engineering in full.

Council also have a duty to disclose unfavourable evidence, which is the case here.

It’s a quadruple banger - to clarify

Index

Council authored engineered documents having being prepared that are unlawful – should be removed by the Planning court in these (1-3) curcumstances -

1. Council authored engineered documents that are unlawful due to not complying with laws – Council laws (eg, Chapter7, stormwater), or QUDM), Includes pipes being flooded. Other laws, not being Council laws (eg tresspass).

2. Council authored engineering documents are unlawful due to legislative requirements – unsatisfactory Conduct Schedule 2 – of a lesser standard to their peers. Included pipes being flooded.

3. Council authored engineering documents that are unlawful purely due to non-RPEQ certification.

It is Manteit's view that any fill condition, stormwater condition, or stormwater red line drawn on a plan, violating the above 1-3 should be removed by the judge of a Planning Court and fail to remain in any approved plan or condition, immediately, when it is obvious to the judge, or if necessary, alternatively after some consideration, or expert statement. This has been explained at lengths by Manteit, in this case, ad nauseum.

One quick example of 3, is that any red line, that requires RPEQ certification and does not state that on the DA, it should be removed immediately by the Courts.

There may have been confusion by the court of Manteit's past arguments of this topic.

4. The other matter is corrupt or unlicenced engineering. This may or may not wipe out a condition, whereas 1-3 will. In 4., information is still required to be disclosed to the Appellant.

There has been unlicenced engineering occurred in this case. That may

Index

be a matter for the Court to consider as a matter and dermination by the Planning Court, or it may not.
In the CCC letter of 27/3/25 handed to His honour on 14-4-25 (filed 14-1-26) CCC states that it should be a matter for examination by the Court in the first instance. It is assumed that the author is referring to 4.

The last complication, is that if the engineering is licenced but so terrible, it might be classed as corrupt engineering. That is why Council employees Ting and Blake may still be caught by the CCC for corrupt conduct.

There is no Planning Court decision to my knowledge that addresses any of the above.

- In addition, the types of engineered documents above are all unfavourable evidence in the posession of one party, being Council.
- That also affects the conduct of barristers and solicitors.

Manteit has a right to information from Council, on all four counts, as above. It is contempt of Court not to disclose.

8. There was no joint meeting called for because Manteit stated to the court on 12-12-24 that the engineers would need 500 days(around) to have meetings to work out where the fill goes, and what on earth are the Council pipe levels.

9. If Schrinner and Freeman, who are responsible for the performance and behaviour of their own staff (CCC letter, filed 14-1-26) came clean quickly, they could have saved Council $300,000 legal bill and Manteit costs and lost profits of $750,000.

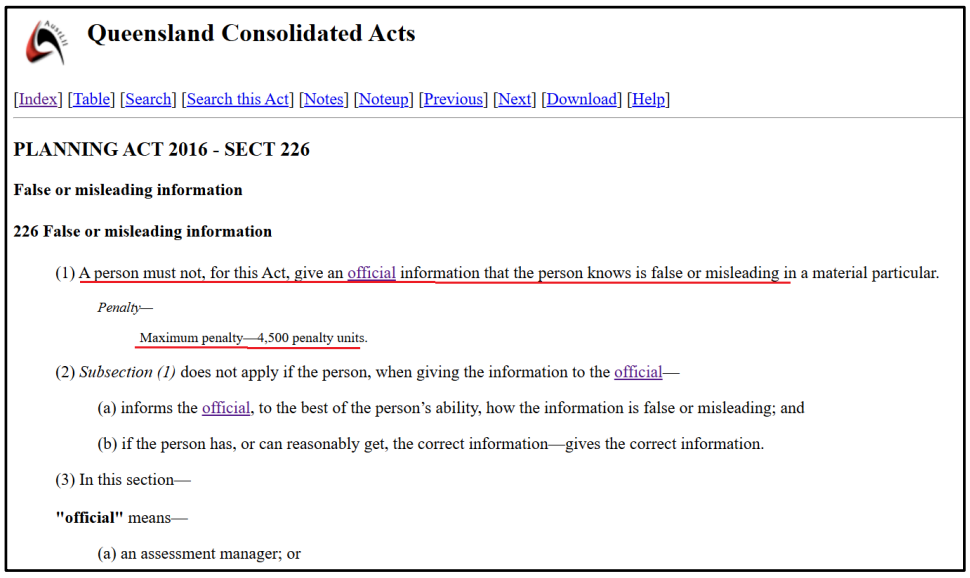
But they chose to be Pinocchio and instruct a witness to prepare another 4 flooded plans. The nose got longer as they tried to cover up until the day of the trial (some items 5 hearing minutes before the trial.

10. They also chose to commit contempt of court and file 6 affidavits after 22-4-25, after obtaining an extension.

11. There are over 100 alleged contempts in this case. The reader can read further.

Index

12. S226 of the Planning Act states that a person must not give a judge (official) information that the person is false or misleading ina material particular. That would seem to have occurred on many occasions by Council in this trial, such as giving His Honour many documents that would be caught under this section, including a fake name of the Appellant, on 12-12-24.



Queensland Consolidated Acts

[Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Previous] [Next] [Download] [Help]

PLANNING ACT 2016 - SECT 226

False or misleading information

226 False or misleading information

(1) A person must not, for this Act, give an official information that the person knows is false or misleading in a material particular.

Penalty—

Maximum penalty—4,500 penalty units.

(2) *Subsection (1)* does not apply if the person, when giving the information to the official—

(a) informs the official, to the best of the person's ability, how the information is false or misleading; and

(b) if the person has, or can reasonably get, the correct information—gives the correct information.

(3) In this section—

"official" means—

(a) an assessment manager; or

13. Entities Council have a duty to provide engineered source document evidence, if they produce engineered documents –

Manteit – DA applicant and Appellant

Crime and Corruption Commission – still outstanding from their letter 17-9-25

Board of professional Engineers – for peer review, unsatisfactory conduct, Schedule 2and unlicenced engineering S115.

Often instructed by the CCC as their deputy in the field.

The Planning Court - must not withhold documents unfavourable Duty to the Court by Sara McCabe and the Law Society

A solicitor must not withhold documents unfavourable to the client.

Law Society For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227

14. UPCR rules.

Manteit has a right to be provided with Council engineered source documents which are relevant and critical to his case, and in the possession of Council, not Manteit.

1. If a party fails to disclose material that is required to be disclosed, it may face consequences

Index

including the forfeiture of the right to tender the document as evidence and possible criminal charges for contempt of court.

15. Failure to disclose by Council – contempt of court

1. If a party fails to disclose material that is required to be disclosed, it may face consequences including the forfeiture of the right to tender the document as evidence and possible criminal charges for contempt of court.

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document—

(a) in the possession or under the control of the first party; and

(b) directly relevant to an allegation in issue in the pleadings; and

(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

Note—

Under the *Acts Interpretation Act 1954*, *schedule 1* —

"document" —

(a) means a record of information, however recorded; and

(b) includes—

(i) anything on which there is writing; and

(ii) anything on which there are marks, symbols or perforations having a meaning for persons qualified to interpret them; and

(iii) an electronic document.

(2) The duty of disclosure continues until the proceeding is decided.

(3) An allegation remains in issue until it is admitted, withdrawn, struck out or otherwise disposed of.

16. Manteit Proposed orders

Manteit has filed on 14-1-26, of his past proposed orders that were sent to Sara McCabe before each hearing requesting orders for Council to provide that engineering information. The orders were not accepted by the Court. Sara McCabe refused to provide that information and chose to dishonestly hide information until the day of the trial, or in the case of Corrigan and Ryan material, on 23-4-25, in contempt of Court.

6. Standard of proof of contempt of Court.

Elements to trigger for a Contempt of Court order as a Civil offence.

1. The elements of the offence of the of a civil contempt were set out by Perram J in Re Group Pty Ltd v Kazal as follows:

30. A civil contempt is a breach of a court's order or an undertaking. The elements of the offence of a civil contempt were set out by Perram J in *Re Group Pty Ltd v Kazal (No 4)*[27] as follows:

"In a case of civil contempt, the Plaintiff must prove that:

(i) an order was made by a court;

(ii) the order was sufficiently clear such that one can be sure beyond reasonable doubt that the order was not complied with;

(iii) the order was served on the alleged contemnor or that service was for some reason dispensed with under some lawful order;

(iv) the alleged contemnor had knowledge of the terms of the order;

[26] Fox, above n15,1.
[27] [2017] FCA 1084 at [73] (Perram J).

6

2. All of the requirements of 30. (i) to (iv) above, have been proven by Manteit, in this Application.

Criminal offence minimum standard

3. The standard of proof for both civil and criminal contempts is the criminal standard : beyond reasonable doubt.

(a) Standard of proof

49. As outlined above, the standard of proof for both civil *and* criminal contempts is the criminal standard: beyond reasonable doubt.

50. In *Witham v Holloway*,[39] proceedings for civil contempt brought by a party in civil proceedings in the Equity Division of the NSW Supreme Court against another party had been found to be committed on the balance of probabilities. The Court (Brennan, Deane, Toohey and Gaudron JJ) held (at 534):

7.Orders sought

1. The Respondents are to be punished for contempt of court.

2. The proposed punishment for the individuals is 2 years imprisonment or alternatively what the Court determines.

Index

3. The proposed punishment for Brisbane City Council, being a non-individual is to be determined by the Council is a fine of no less than $1,000,000. As to whom this fine is paid to, shall be determined by the Court.

Non-compliance with court orders is critical for the continued administration of justice and to ensure public confidence in the judicial system

8. Contempts of Court

10. Crime and Corruption Commission

1. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner to have failed to audit and conrol their unlicenced Schrinner Council employees that have prepared and produced Right to Information documents and DA approved Council employee flooded engineered Upstream Drainage plans and wasted Manteit's (DA applicant) and the court's time and costs for 7 months, by withholding relevant information regarding Manteit allegations and Council engineered source documents prepared by Council, not Manteit.

2. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner to have failed to audit and control their unlicenced Schrinner Council employees, who have prepared and produced Right to Information documents and DA approved Council employee authored flooded engineered Onsite Drainage plans and wasted Manteit's (DA applicant) and the court's time and costs for 7 months.

3. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner to have failed to audit and control their unlicenced Schrinner Council employees, who have prepared and produced DA approved Council employee authored fake engineered fill conditions 12,17,18 and wasted Manteit's (DA applicant) and the court's time and costs for 4 months.

4. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner to fail to disclose the occurrence of unlicenced engineering by Schrinner Council employees, at any time, that occurred from 2-9-24 to 19-11-24.

1. It is a criminal contempt of Court by Susan Hedge to force Judge Williamson KC into not having read any of Council's material to be relied on before the trial, at the hearing 24-4-25, based on the extract below, to the best of Manteit's knowledge.

2. It is a criminal contempt of court by Susan Hedge to box in Manteit and allegedly His Honour by the filing of all Council material in contempt of Court, after 22-4-25.

3. It is contempt of Court by Susan Hedge, as an act of omission for 7 months, to hide Council flooded Upstream plans until 5 minutes before the trial.

4. It is contempt of Court by Susan Hedge to hand His Honour an illegal document being the Corrigan report that used illegal Bris 2019 contours.

Index

13. Sara Mccabe – Respondent

1. It is a criminal contempt of Court by Sara McCabe to have forced Judge Williamson KC to into failing to have read Council's material for the trial until 5 hearing minutes before the trial.

withhold engineering information regarding Council engineered source documents, from Manteit and the Court after Manteit's 13 letters and 108 pages of relevant allegations and requests for engineering information, prior to the Notice of Appeal 19/11/24, required by -

- Manteit requests
- UPCR rules 211 and others
- Common Law
- RPEQ lawful standards, under Schedule 2 of the Professional Engineers Act, 2001
- S115 (1) and Schedule 2 of the Professional Engineers Act 2002,
- The Crime and Corruption Commission.

And Sara McCabe has intentionally thwarted Manteit's ability to prosecute his allegations and case, as tabled below.

3. It is a criminal contempt of Court by Sara Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Susan Hedge", to have comitted ed the same contempt as Susan Hedge, in each section of this Amended Application since Sara McCabe had -

- At all times, Sara McCabe had control over the instructions given to **Susan Hedge**, being given to Susan Hedge -
    - In the courtroom for hearings and
    - Prior to being in the Courtroom, for hearings, or in other places.

4. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Brisbane City Council, Council, or Schrinner Council", to have committed the same contempt of court by "Brisbane City Council, Council, or Schrinner Council" to the extent that she had involvement with the other respondents but a duty to the court as an officer of the court which overrides the duty to her client.

5. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Dr Freeman", to have committed the same contempt of court by "Dr Freeman" to the extent that she had involvement with Dr Freeman but also a duty to the court as an officer of the court which overrides the duty to her client/Dr Freeman.

6. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Cr Schrinner", to have committed the same contempt of court by "Cr Schrinner" to the extent that she had involvement with Cr Schrinner but also a duty to the court as an officer of the court which overrides the duty to her client/Cr Schrinner

Index

7. It is a contempt of Court by Sara McCabe, wherever allegations of Contempt are mentioned in this application **"by all the Respondents"** to have committed the same contempt of court by any of the other Respondent, to the extent that she had involvement with the other respondent, but also had a duty to the court as an officer of the court which overrides the duty to the other Respondent.

8. It is a criminal contempt of Court by Sara McCabe to withhold from Manteit, certain engineering information on Council employee engineered and authored source documents held by Council, such as the Upstream Drainage pipes being flooded 1.2m under the Ashridge Rd kerb, when Manteit requested information from Council from 1/10/24 and made flooding calculation statements to Council starting from 11/10/24, and Manteit stating that the pipes would flood 1.2m under the kerb.

9. It is a criminal contempt of Court by Sara McCabe to mislead the court, by instructing Susan Hedge to lie to the Court, as stated in each of the the pertinent sections of this application, where applicable.

10. It is a criminal contempt of Court by Sara McCabe by withholding documents unfavourable to the client.

11. It is a criminal contempt of Court by Sara Sara McCabe to have both intentionally wilfully withheld relevant information to Manteit's case and detrimental to Council's case until the day of the trial including, but not limited to significant matters of this case -

- The Upstream Drainage pipes being flooded 1.2m under the Ashridge Rd kerb and >76 L/s pipe velocity at the kerb, causing nuisance flooding of 410,000 litres per hour, nuisance flooding and possible death to Darra residents.
- The Onsite Drainage pipes being flooded and placed 5.1m up from the low side of the kerb.
- Timing of submission of engineering drawings before construction of pipes.
- Copy of and detail of the **Council Easement document**, required by DA approval Condition 7 only supplied in the last 25 minutes of the trial, on 30/4/25 by direction of His Honour Judge Williamson KC at the request of Manteit.

12. It is a criminal contempt of Court by Sara McCabe to have given instructions to Susan Hedge of the forcing of witnesses Corrigan and Ryan, by Susan Hedge, to change their statements in Court.

13. It is criminal contempt of Court by Sara McCabe, to allegedly disrupt the courts processes by her acts or acts of omissions.

14. It is contempt of Court by Sara McCabe, to have allegedly brought the Law Society into disrepute by her actions or acts of omissions.

Index

14. Adrian Schrinner

1. It is a criminal contempt of Court by Cr Schrinner under the Criminal Code 1899 – Sect 92A to have instructed Susan Hedge and Sara McCabe to withhold information unfavourable to the Council's case until the day of the trial, or 5 hearing minutes before the trial in order to benefit by protecting the unlicenced Council employees and his own reputation.

2. It is a criminal contempt of Court by Cr Schrinner under S226 of the Planning Act by giving the court false information including but not limited to –

- An act of omission for 7 months by failing declaring significant issues of the case until the day of the trial, or alternatively 5 hearing minutes before the trial.
- Act act of omission for 7 months, by failing to inform the court after having full knowledge that the RTI and DA approved Upstream Drainage Plans that would flood the residents of Darra, 1.2m under the Ashridge Rd kerb and 410,000 litres per hour pipe velocity.
- An act of omission for 3 months by allowing Council to make the statement to the Court in the Notice of reasons for Disputed Conditions dated 31-1-25 "represent one way", but in fact that way was flooded.

3. It is a criminal contempt of Court by Cr Schrinner, by an act of omission, for 7 months, to have failed to take responsibility for the performance and behaviour of his own staff, by refusing to auditing their incompetent and corrupt conduct, as he is responsible for same, and could have prevented the court case. This is an act omission.

4. It is a criminal contempt of court by Cr Schrinner, by an act of omission, for 4 months , to have failed to formally respond to the Crime and Corruption letter to Manteit of 17/9/25, since Cr Schrinner is required to take responsibility, and be held accountable for the performance and behaviour of their own staff. Staff would include Dr Kerrie Freeman.

5. It is a criminal contempt of Court by Cr Schrinner by an act of omission, for 7 months to refuse to respond to emails sent to him by Manteit, being forwarded to him prior to 19/11/24, that if he had responded to, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24, as tabled here.

Index

6. It is a criminal contempt of Court by Cr Schrinner to have instructed Council employees, Sara McCabe and City Legal to withhold relevant engineering information to the proceedings, Manteit's allegations and Manteit's case, including the following -

- Engineering information of Council employee engineered source documents
- Manteit allegations
- Manteit's ability to prosecute his case,

And as listed in the following table below.

and if Schrinner, Sara McCabe, City Legal or Council employees as listed in the DA approval had responded to, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24.

7. It is a criminal contempt of Court by Schrinner to have instructed City Legal, Sara McCabe, Susan Hedge to intentionally withhold arguments unfavourable to Council's case until the day of the trial, by removing or changing of positions and attempting to -

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

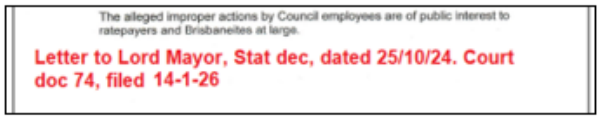
- avoid further allegations of corrupt employee conduct by the Crime and Corruption Commission

- avoid the possibility of Cr Schrinner and Dr Freeman being charged by the Crime and Conduct Commission for their own alleged corrupt conduct.

8. It is a criminal contempt of Court by Cr Schrinner, by an act of ommission, for 7 months, to refuse to (a) respond to Manteit's statement to him in letter of 25/10/24, and (b) take control of his employees from engineering and designing flooded plans that flood Darra residents and may cause possible loss of life.

25/10/24. Manteit to Cr Schrinner - *"The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large"*

9. It is a criminal contempt of Court by Cr Schrinner to have instructed Susan Hedge to lie in Court a number of times, on 24-4-25 as detailed in sections of this Amended Application and alternatively performed acts omission by failing to inform court of various matters.


The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

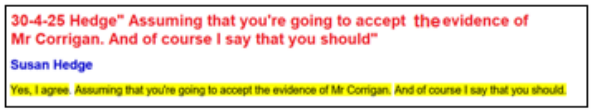
Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

10. It is a criminal contempt of Court by Cr Schrinner to have instructed unlicenced and incompetent Council employees to draw up plans to flood Darra residents and cause potential loss of life by their preparation of the RTI and DA approved Upstream Drainage stormwater plans, Being flooded 1.2m under the kerb or alternatively -

Cr Schrinner failed to audit the abovementioned flooded Upstream Drainage plans, to flood Darra residents and cause potential loss of life prior to the DA approval since Cr Schrinner is responsible for all his employees performance and behaviour, as stated by the Crime and Corruption Comission letter to Manteit, dated 17-9-25.

Index

11. It is a criminal contempt of Court By Cr Schrinner to incite the breaking of Council laws and other laws, by the owner, as a result of Susan Hedge acceptance of the Corrigan report, on 30-4-25, as stated in other sections


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- 38. Corrigan report
- 39. Corrigan's statements as a witness

Including 31 alleged contempts of court, in that report, but not limited to -

- 4 flooded plans that would flood Darra residents with nuisance flooding and cause potential loss of life
- The placing of around 200 rainwater tanks in neighbours's yards to prevent flooding
- Placing of easements in the owner's front yard to prevent the owner from providing services to the block, preventing of building structures and being able to seal the subdivision plan.

12. It is a criminal contempt of Court by Cr Schrinner to instruct Susan Hedge to state on 30-4-25 that Council's position is that "the Upstream Drainage pipe can go straight down the middle of the block"

This is an absurd position for the Lord Mayor to instruct a barrrister to make that statement, since it would prevent the building of a house, as stated by Corrigan.

13. It is a criminal contempt of court by Cr Schrinner to deceive the court by forcing the court to believe that two incompetent witnesses are eligible perons to decide on timing of submitting of engineer drawings and not Council assessment officers.

14. It is a criminal contempt of Court by Cr Schrinner to deceive the court that Corrigan and Ryan have provided

- New precedence of sorts for all Council assessment managers on a daily basis to decide in future DA cases when the assessment manager deems when engineers are required to submit engineering drawings by simply referring to some witness instead of Council's own assessment policies.

15. Kerrie Freeman - Respondent

1. It is a criminal contempt of Court by Dr Freeman under the Criminal Code 1899 – Sect 92A to have instructed Susan Hedge and Sara McCabe to withhold information unfavourable to the Council's case until the day of the trial, or in some cases, 5 hearing minutes before the trial, in order to benefit by protecting the unlicenced Council employees from Crime and Corruption Commission charges and her own reputation.

Freeman has failed to have performed the function of office by failing to audit incompetent and corrupt employees, as required by the Crime and Corruption Commission.

2. It is a criminal contempt of Court by Dr Freeman under S226 of the Planning Act by giving the court false information including but not limited to –

- An act of omission for 7 months, by failing to declare significant issues to the court until the day of the trial, or alternatively 5 hearing minutes before the trial.

Index

3. It is a criminal contempt of court by Dr Freeman, by an act of omission for 7 months, to have failed to take responsibility for the performance and behaviour of her own staff, by refusing to audit her own staff incompetent and corrupt conduct, as he is responsible for same, and could have prevented the court case. This is an act omission.

4. It is a criminal contempt of court by Dr Freeman, by an act of omission, to have failed to formally respond to the Crime and Corruption letter to Manteit of 17-9-25, sent to Council around 25-9-25 since this Cr Schrinner is required to take responsibility, and be held accountable for the performance and behaviour of their own staff.

5. It is a criminal contempt of Court by Dr Freeman to have instructed Council employees, Sara McCabe and City Legal to withhold relevant engineering information to the proceedings, Manteit's allegations and Manteit's case, including the following -

- Engineering information of Council employee engineered source documents
- Manteit allegations
- Manteit's ability to prosecute his case,

and if Cr Schrinner, Sara McCabe, City Legal or Council employees as listed in the DA approval had responded to Manteit, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24.

6. It is contempt of Court by **Dr Freeman who intentionally** signed and filed two of her own affidavits, court docs 50 and 51, on 24-4-25, in contempt of court, being 2 days after the required date of 22-4-25.

The signing by **Dr Freeman** of Court documents 50 and 51 on 24/4/25 implies the flagrant contempt of the court in that the affidavits could have been signed weeks before 24/4/25, by Dr Freeman. This is another example of why the Contempt of Court is elevated from Civil to Criminal, since it is clearly intentional, to thwart the Prosecution of his case.

7. It is Contempt of Court by Dr Freeman to intentionally used the **illegal Nearmaps and Contours 2019 to fool the Court**, when Contours 2002 is legal.

8. It is Contempt of Court by Dr Freeman to either instruct **Corrigan to also use illegal Contours 2019** to fool the Court, in the alternative, did not audit his report, but should have.

Index

16. Failing by the Respondents to file and serve material to re relied on by the Court order date.

1. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that they have intentionally refused to file all material to be relied on for the trial, by the extended date of 22-4-25, as ordered by His Honour Judge Williamson KC, as stated in Court order paragraph 3, dated 14-4-25. Court doc 47.

2. It is a criminal contempt of court by Susan Hedge and Sara McCabe and all the Respondents to force His Honour Judge Williamson KC to have never read any of Schrinner Council material to be relied upon by the Respondents until 5 minutes before the end of the pretrial hearing on 24-4-25.

3. It is a criminal contempt of Court by all Respondents to offer His Honour Judge Williamson KC on 24-4-25 working copies, 5 minutes before the end of that hearing and therefore 5 minutes before the start of the trial, instead of filed copies.

4. It is a criminal contempt of Court by Susan Hedge to have never offered His Honour a copy of any filed material to be relied on at any stage before the trial, including on 24-4-25.

5. It is a criminal Contempt of Court by all of the Respondents that the result was that the Respondents have intentionally thwarted and prejudiced Manteit's case.

6. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner, Dr Freeman, Sara McCabe and Susan Hedge to have intentionally **filed all court files to be relied upon for the trial 2916/24** outside the Court order of 14-4-25, so as to thwart and prejudice the prosecution by Manteit of his case.

This is an intentional and deceitful act by the Respondents to thwart the case of Manteit, the Appellant, by filing all material to be relied on for the case after 22-4-25.

7. It is contempt of Court by all the Respondents that **Dr Freeman intentionally** signed and filed two of her own affidavits on 24-4-25, in contempt of court.

The signing by **Dr Freeman** of Court documents 50 and 51 on 24/4/25 implies the flagrant contempt of the court in that the affidavits could have been signed weeks before 24/4/25, by Dr Freeman. This is another example of why the Contempt of Court is elevated from Civil to Criminal.

Index

8. It is criminal contempt of Court that Susan Hedge and all the Respondents by an act of omission for 7 months, deceitfully omitted to state to the Court at the hearings of 12/12/24,12/2/25 and 14/4/25 that the DA approved Upstream Drainage plans were illegally flooded 1.2m under the Ashridge Rd kerb and were of >76 L/s pipe velocity, causing the breaking the laws of gravity and many Council laws.

9. It is a criminal contempt of Court by Susan Hedge, Sara McCabe, Schrinner's Council, Cr Schrinner and Dr Freeman to seek continual extensions to file all material to be relied upon after the order date repeatedly. This is a Contumacious act.

10. It is a criminal contempt of Court by the Respondents in that Acts of omission have occurred on a grand scale, from 1-10-24, the date of the first letter to Council employees, to 30-4-25, the last day of the trial, as the Respondents refused to supply information on **their own source documents** to Manteit and the Court -

- The Respondents refused to respond to all Manteit requests for information regarding detail of the **surface level and invert level of their own Council employee authored DA approved Upstream Drainage red lines and pits** to Manteit, prior to the Notice of Appeal, 19/11/24, as required by UPCR reg 211 and common law.

- Cr Schrinner and Council employees refused to supply detail of the surface level and invert level of their own Council employee authored DA approved Upstream Drainage red lines and pits to Manteit, prior to the Notice of Appeal, 19/11/24. as outlines in the affidavits filed, and then until 24-4-25, five hearing minutes before the trial on 28-4-25.

- Cr Schrinner and the Council employees refused to supply detail of the Cr Schrinner **Council's easement** over their own authored DA approved Upstream Drainage lines to Manteit, prior to

Index

the Notice of Appeal and after the Notice of appeal.

- Cr Schrinner, Sara McCabe and Council employees refused to supply a copy of the DA approved **Council Easement document** to Manteit, prior to the Notice of Appeal and also after the Notice of appeal and prior to the trial, despite up to 200 requests for same.

- Cr Schrinner, Sara McCabe and Council employees refused to supply **detail of where fill is to be placed** on the lot, to Manteit, as required by Council in DA fill conditions 12,17,18 after the Notice of Appeal, until these fill conditions were removed on 31-1-25.

Index

11. It is a criminal contempt of Court by the Respondents by thwarting and prejudicing of the prosecution by Manteit of his case by their acts of omission, by withholding with ulterior motives of -

- Thwarting and prejudicing Manteit's case, by dishonest and unlawful means.
- Hiding the incompetent and corrupt conduct of Council employees from the Crime and Corruption Commission, Manteit and the Brisbane public.
- Serving their own interests by protecting their own reputations and future imminent action by the Crime and Corruption Commission.

12. It is a criminal contempt of Court by Susan Hedge and Sara McCabe, by an act of omission for 7 months, since they have a **duty to the court** to be honest at all times in the Court , including acts of omission and it is alleged they have breached their duty to the Court. They have allegedly not been honest to the court, for over 7 months, by withholding relevant information to Manteit's allegations regarding the Council's engineered source documents.

Shrinner's Council, Dr Freeman, Cr Schrinner, Susan Hedge and Sara McCabe **had every day since 2/9/24** to "come clean" on the facts of the case, including flooded pipes and timing of engineering submissions. On 2/9/24, Ting wrote to 12 Council employees inviting them to double check her "accurate" calculations.

13. It is a criminal contempt of Court by Dr Freeman and Cr Schrinner, by an act of omission for 7 months, to have failed to have audited their corrupt Council employees.

"All government agencies including the Council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff"

"The CCC Act goes further, and in S35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct"

14. It is a criminal Contempt of Court by Cr Schrinner, as an act of omission, for 7 months, to have intentionally not to respond to a final warning by Manteit of court action, in a Manteit letter to him on 25-10-24.

15. It is a criminal contempt of court by Cr Schrinner, who has chosen not to respond to all correspondence sent to him, including five letters to him, from Manteit, prior to the Notice of Appeal, 19/11/25.

If Cr Schrinner had responded to any one of those letters, this Court case would never have been started.

16. Schrinner Council, Cr Schrinner and Dr Freeman have instructed Council employees to refuse to respond to all Manteit's requests for engineering information.

17. Withholding of engineering information of Council engineered source documents, to Manteit

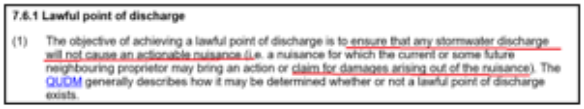
1. It is a criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to withhold engineering information to Manteit and the Court that were relevant to Manteit's allegations, which were alleged since letter to Council employees 1/10/24 and 13 other letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.

dex

2. It is a criminal contempt of Court by Susan Hedge, as an act of omission, over 7 months, to appear before Judge Williamson KC on 12-12-24, 12-2-25 and 14-4-25, and failing to inform the Court that the RTI and DA approved Schrinner Council employee Upstream Drainage plans flooded 1.2m under Ashridge Rd

In addition Susan Hedge only informed His Honour of the Corrigan report, of which Susan Hedge accepts, evidencing the same flooding, 5 hearing minutes before the trial on 24-4-25.

Would cause serious nuisance flooding of around 410,000 litres per hour at the kerb and possible death to Darra residents as described in PSP 7.6.1 (1).



7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

Inciting the owner to break Council and other laws –

- Newtons laws of gravity
- PSP 7.6.1(1)
- BSD 8111 min gradient <.5%
- S7.6.3.1 (2), Pipe velocity at kerb >76L/s,

- Inciting of the owner's RPEQ to lose his licence by preparing an unsatisfactory stormwater plan and being charged for unsatisfactory professional conduct under Schedule 2 of the Professional Engineers Act 2002.

- Causing Manteit potential rectification costs of around $150,000 to remove the Council and Council employee flooded pipe under Ashridge.

- Limiting Manteit to the Upstream Drainage pipe to that approved location to as compelled by S164 of the Planning Act thereby preventing Manteit from placing the pipes and easement in another location (assuming it complied with other laws and gravity).

- Deceitfully thwarting and prejudicing Manteit's ability to prosecute his case at trial, by dishonest and unlawful means.

3. It is a criminal contempt of Court by Susan Hedge, by an act of omission,over 7 months, to appear before Judge Williamson KC on 12-12-24,12-2-25, 14-4-25 and 24-4-25 and fail to inform the Court that the RTI and DA approved Schrinner Council employee Onsite Drainage plan red lines would -

- Incite the breaking of Council laws PSP7.6.2(3), BSB 8113 by being 5.1m up from the low side of the kerb
- Force Manteit to raise of the house pad by .5m, costing an additional $172k to correct.

When they were removed 5 minutes into the hearing on 28-4-25.

It is not a defence to have a low IQ. Any person of normal IQ would have known within 30 seconds that the pipes flood 1.2m.

Manteit had advised 6 Council employees on 10/10/24, that their Upstream Drainage pipes flood, with cross-sections.

4. It is a criminal contempt of Court, as an act of omission for 7 months, by all the Respondents to refuse to disclose relevant information regarding on Council and Council employee engineered and authored source documents, to Manteit (both as DA applicant and DA Appellant) and this court, since those actions have caused serious consequences to Manteit's prosecution of his case.

All Respondents have had their chances in Court Hearings every single over 7 months, to come clean and provide those requested Council and Council employee engineered documents to Manteit and the Court. But they never did, but they should have.

Index

17. Right to Information document supplied by Schrinner Council Court document 27 filed 27/3/25

1. It is contempt of Court by act of ommission for 7 months, by all the Respondents to have intentionally withheld relevant Council engineered source document information from Manteit, including that the RTI Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd kerb, and were >76 L/s at the kerb, and would have caused nuisance flooding and possible death.

The relevant information being that the Schrinner Council employee engineered and authored non-RPEQ certified Upstream Drainage plans as drawn in the RTI (Right to information) documents were -

- The Upstream Drainage pipes flooded 1.2m under the Ashridge Rd kerb
- The Upstream Drainage pipes were illegal pipe velocity at the kerb of >76 L/s.
- The Upstream Drainage pipes were of undersized pipe 225mm

2. It is a criminal Contempt of Court by act of omission, for 7 months, by Cr Schrinner and Dr Freeman to withhold information that unlicenced Council employees had performed engineering services, as evidenced in the RTI report, without informing the Crime and Corruption Commission.

3. It is a criminal contempt of Court, by act of ommission for 7 months by the Respondents, City Legal and Council employees, to refuse to respond to all Manteit requests for information on their Council engineered RTI Upstream Drainage source documents, between 1/10/24 and 24-4-25.

4. It is Contempt of Court by act of omission for 7 months by the Respondents to **withhold information** from the Court and Manteit (DA Applicant and Court Appellant) that the illegal RTI flooded Upstream Drainage plans would cause 410,000 litres **per hour nuisance flooding at the kerb and would be a danger to the residents of Darra, causing loss of life.**

5. It is a criminal contempt of Court by act of ommission for 7 months by Schrinner Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe, by act of ommission, to **withhold information** from Manteit from 1/10/24 until 24-4-25 from that the Schrinner Council RTI Schrinner Council employee engineered and authored Upstream Drainage **pipes flooded 1.2m below Ashridge Rd kerb.**

6. It is a criminal contempt of Court by the Respondents, of an act of omission for 7 months, to intentionally **deceive the Court** for 7 months by hiding the flooding of RTI approved Upstream Drainage pipes being 1.2m under the kerb

7. It is a criminal contempt of Court by act of ommisison, by all the Respondents that all Respondents failed to notify the Court of relevant information to the court that the Upstream Drainage pipes as shown on the RTI plans would cause **major flooding of over 410,000 litres per hour to the residents of Darra** and would endanger lives, as per PSP 7.6.1(1).

8. It is a criminal contempt of Court by act of ommission, for 7 months, by all the Respondents, that due to their failure to notify the Court nor Manteit at any time to date that the Upstream Drainage plans as shown on the RTI plans were illegal and non-compliant with -

Newtons laws of gravity (flooded 1.2m)
PSP 7.6.3 (1) and (2) Pipe velocity at kerb >76 L/s for entire development
BSD 8113 Pipe velocity at kerb >76 L/s for entire development
BSD 8111 pipe gradient not min .5% (flooded)
PSP 7.6.1 No lawful point of discharge obtained.
Illegal trespass into 3 properties.
Falsified plan with 4 fake lot numbers
Lot 101 not adjoining the subject site.

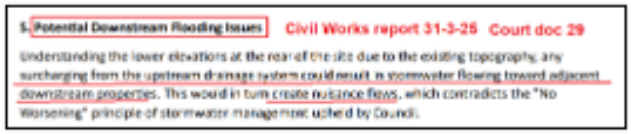
9. It is a criminal contempt of Court by act of omission for Dr Freeman and Cr Schrinner not to audit both the RTI and the DA approved Drainage plan to find out whether they flooded or not.

10. It is a criminal contempt of Court by act of omission by Dr Freeman and Cr Schrinner to fail to audit the RTI plan to prevent fraudulent lot numbers being placed on the plan with a fictitious Lot 101 that did not adjoin the subject lot.

Index

19. Schrinner Council employees flooded plan No. 3&4 DA approved plan 25/9/24 A06565555

1. It is criminal contempt of court by act of omission for 7 months, by all the Respondents to have intentionally and knowingly withheld from the Court relevant Upstream Drainage flooding information for seven months from Manteit and the Court from 1/10/24 to 24-4-25, only 5 hearing minutes before the trial.


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

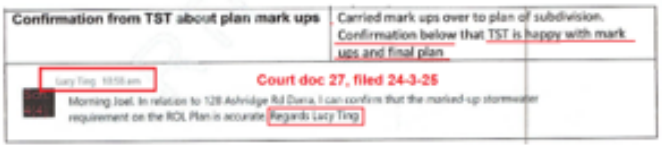
The relevant flooding information being -

- The Schrinner Council employee authored non-RPEQ certified DA approved Upstream Drainage pipes as drawn in red in the DA approval were illegally flooded 1.2m under the Ashridge Rd kerb and were illegally >76 L/s pipe velocity at the kerb

2. It is contempt of Court by Cr Schrinner and Dr Freeman to have **given instructions to employees to withhold relevant information** to the case, to Manteit including

- Upstream Drainage pipe flooded 1.2m under the kerb
- Surface levels and invert levels of pipes
- Fill requirement information
- Easement document

3. It is contempt of court by Dr Freeman and Cr Schrinner did not inform court that they were aware that the Upstream Drainage pipes were flooded at the latest by 2/9/24, the date that Ting emailed 13 Council employees that the **plans were accurate** and would be sent to Blake for final approval.


Confirmation from TST about plan mark ups | Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Court doc 27, filed 24-3-25

Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate Regards Lucy Ting

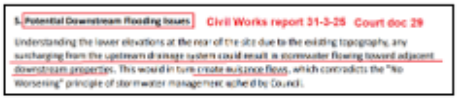
4. It is a criminal Contempt of Court by act of omission by Cr Schrinner and Dr Freeman for failing to audit 13 employees who all made flooding calculations on the Upstream and Onsite Drainage

Index

plans, twice, as Cr Schrinner and Dr Freeman are responsible for the performance and behavious of Council's own employees.

Index

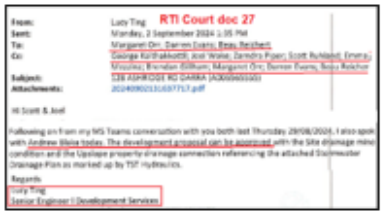
5. It is a criminal contempt of Court, by an act of ommission, for 7 months, that all Respondents by **failing to notify the Court** that the Upstream Drainage pipes as shown on the RTI plans would cause **major flooding of over 410,000 litres per hour to the residents of Darra (Manteit 57*2*60*60).**


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

The plans were intentionally flooded by the Council employees and the pipes flooded 1.2m under the Ashridge Rd kerb and were >76 L/s (*"Conservative"* - Civil Works) pipe velocity at the kerb.

The 13 Council employees on Ting's email had their chance to correct their error at the draft stage. They chose not to correct that error. That is some evidence as to why the unlicenced Council employee flooding was intentional.


RTI Court doc 27

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kirkpatrick; Jodi Waite; Dandru Pyper; Scott Rutland; Emma Moodley; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA [ADOBEDOCS]
Attachments: 20240902131607717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spoke with Andrew Blake today. The development proposal can be approved with the Site drainage mins condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TSF Hydraulics.

Regards
Lucy Ting
Senior Engineer | Development Services

6. It is a criminal contempt of Court by an act of omission by all the Respondents, for 7 months, that Schrinner Council employees, Cr Schrinner and Dr Freeman withheld information from Manteit, relevant to the Case, under UPR 221, being withholding of information on their **undersized 225mm pipe**, which would have caused flooding to the residents of Darra.

The act of omission is against common law and the UPCR Rules 1999 – REG 211.

"211. *A party to a proceeding has a duty to disclose to each other each document –*

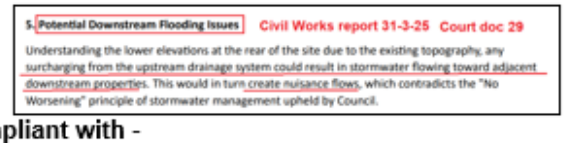
(a) in the ***possession of the first party****; and*

(b) ***directly relevant to an allegation*** *in issue in the pleadings;"*

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

7. It is a criminal contempt of Court by an act of ommission, for 7 months, by all the Respondents of their failure to notify the Court and Manteit at any stage to date that the **Upstream Drainage plans as shown on the RTI plans were not compliant with** -


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

Newtons laws of gravity
PSP 7.6.3 (1) and (2)
BSD 8113
BSD 8111
PSP 7.6.1(1)

All acceptable outcomes of the Stormwater Code
Schedule 2 of the Professional Engineers Act 2002
S115(1) of the Professional Engineers act 2002
S15(1) of the CCC Act 2001.

8. It is a criminal contempt of Court by an act of omission for 7 months, by all the Respondents to fail to advise the Court that Manteit would have required to spend around $150,000 to **rectify the flooded DA approved Upstream Drainage pipes**, if constructed by Manteit.

9. It is a criminal contempt of Court, by an act of omission for 7 months, by all the Respondents, that all Respondents failed to advise Manteit and the Court, that the **Onsite Drainage plans** provide for a kerb adaptor 5.1m up from the low side of the kerb not in compliance with

BSD 8111
PSP 7.6.2 (3)

10 It is a criminal contempt of Court, by an act of omission, for 7 months, by Susan Hedge to look straight to the face of Judge Williamson KC at threehearings , on 12-2-24, 12-2-25, and 14-4-25, knowing full well the Upstream Drainage pipes were flooded 1.2m below Ashridge Rd kerb. But she omitted to notify that the Upstream Drainage plans flooded.

Index

20. Proposed orders by Manteit to the Court for hearing on 12-12-24

1. It is criminal ontempt of Court for Sara McCabe and all the Respondents, by an act of omission, to refuse to provide to Manteit and the court engineering information on their own engineered source documents, being -

- DA approval locations of fill required under Conditions 12, 17 and 19. ('the site must be filled")
- Da approval Upstream Drainage surface levels and invert levels of 6 pits and kerb crossings.

21. Use of fake fill conditions removed by Schrinner's Council on 31-1-25

1. It is a criminal contempt of Court by all the Respondents, as an act of omission, for four months, by McCabe and Schrinner Council, to withhold fill requirement information from Manteit for 2 months and the Court, (as required by UPCR Rules – Reg 211), as stated in Conditions 12,17 and 18.

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

Schrinner Council unlicenced employees were the authors of the RPEQ (if) engineered fill conditions.

2. It is a criminal contempt of Court by all the Respondents being an act of omission, for 4 months, to knowingly withhold the fill requirement information from the Court and Manteit, as stated in Conditions 12,17 and 18, required in common law and UPCR reg 221.

No engineer could start to discuss the engineering, with any experts as advised by Manteit to His Honour on 12-12-24, until the fill conditions were removed.

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

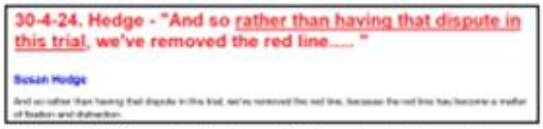
Index

22. Respondent's list of reasons why disputes conditions should be imposed and notice of any alternative conditions

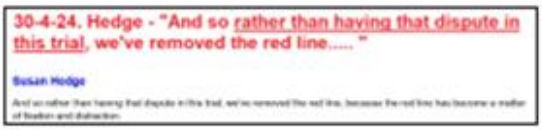
1. It is a criminal contempt of Court, by an act of omission,by all the Respondents, for 7 months, to deceive the Court by the Respondents to make the statement in the "Notice of Disputed Conditions" by Council 31-1-25, filed in Court, Court doc 23. - ***"represent one way"***, when the "one way" was flooded 1.2m under the Ashridge Rd kerb and >76 L/s as agreed by Susan Hedge, Corrigan, Civil Works and Manteit.

2. It is a criminal contempt of Court, by an act of omission for 7 months, by all the Respondents, to deceive the Court by all the Respondents to make the statement in the Notice of Disputed Conditions by Schrinner Council 31-1-25, filed in Court, Court doc 23. - ***"and not the only way"***. There is in fact, no way. There is in fact no upslope properties to 128 Ashridge Rd Darra. There is no "would drain through the development" There is no individual rear lot <30 L/s pipe velocity at the kerb.

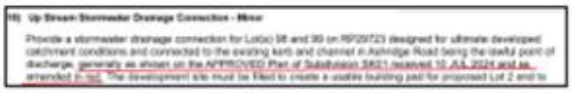
3. It is a criminal contempt of Court by the Respondents by an act of omission for 7 months, to deceive the Court by all the Respondents in that Schrinner Council **did not remove the Upstream Drainage red lines** as shown on the DA approved plan, dated 25-9-24, in the "Notice of Disputed Conditions", dated 31-1-25, for Upstream Drainage



4. It is a criminal contempt of Court, by an act of omission for 7 months, by the Respondents to deceive the Court by all the Respondents that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan, dated 25-9-24, in the "Notice of Disputed Conditions", dated 31-1-25, for Onsite Drainage, being illegal under PSP 7.6.2, and BSD 8113, being more than 400mm from the low side of the kerb.



5. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court by all the Respondents that the **wording of condition 18** was not changed in relation to the reference "as shown generally on the approved plan", when the wording was removed 5 minutes into the trial, on 28-4-25.



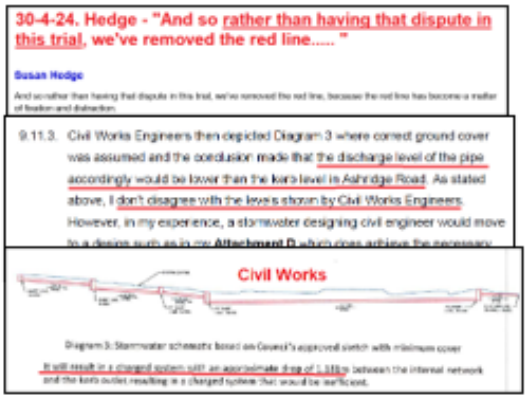
Index

23. Hearing 12-2-25

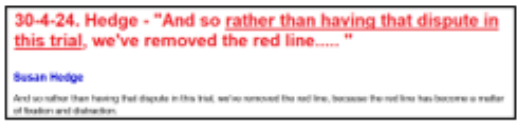
1. It is contempt of Court to deceive the Court on 12-2-25, by all the Respondents, as an act of omission for 4 months that Schrinner Council **did not remove the Upstream Drainage red lines from the "Notice of Disputed Reasons", as shown in the DA approved plan.**

This was an act of omission by all the Respondents.

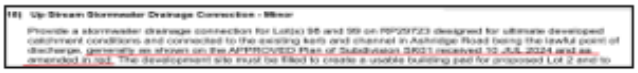
The Upstream Drainage red lines were removed on the day of trial on 28-4-25 by Susan Hedge.



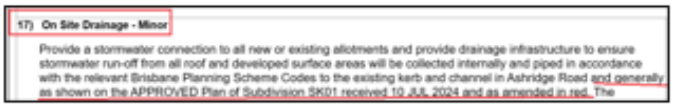
2. It is contempt of Court to deceive the Court by all the Respondents, by an act of Omission for 4 months, that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan.



3. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months, that the **condition 18** was not changed in relation to the reference "as shown on the plan" was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.



4. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months, that **condition 17** was not changed in relation to the reference "as shown on the plan", but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.



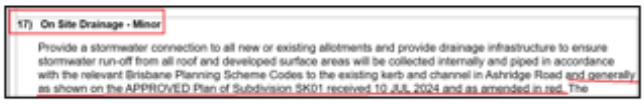
This was an act of omission by all the Respondents.

5. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months that the timing of submission of engineering drawings in condition 18 was not changed to before construction of the pipes from after constuction, but was tabled and changed 5 minutes into the trial, on 28-4-25 by Susan Hedge, and stated as being a significant issue in the case.

This was an act of omission by all the Respondents.

Index

6. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court by all the Respondents that the **condition 17** was not changed in relation to the reference **"as shown on the approved plan"**, when the wording was removed 5 minutes into the trial, by Susan Hedge, on 28-4-25.

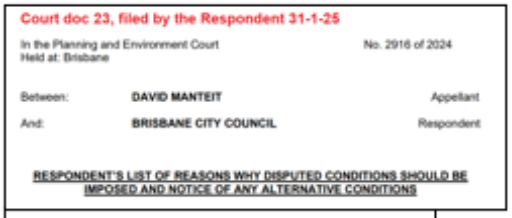

17) On Site Drainage - Minor

Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The

7. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court that a requirement for timing of submission and approval by Council of engineering drawings prior to construction of the Upstream Drainage pipes was not stated in the Notice of Disputed Conditions, dated 31-1-25, but was tabled 5 minutes after the start of trial, on 24-4-25, by Susan Hedge.

8. It is a criminal contempt of Court by the Respondents to deceive the Court by Schrinner Council using the word "correspondence" instead of the word "corresponding" in the "Notice of Disputed Reasons"

9. It is Contempt of Court by Cr Schrinner, Dr Freeman , Sara McCabe (City Legal) and Schrinner Council to state that the Upstream Drainage red lines **"represent one way"**, as the Upstream Drainage pipes are flooded 1.2m under Ashridge Rd kerb and >76 L/s pipe velocity at the kerb, so they do not represent one way.


Court doc 23, filed by the Respondent 31-1-25

In the Planning and Environment Court — No. 2916 of 2024
Held at: Brisbane

Between: DAVID MANTEIT — Appellant
And: BRISBANE CITY COUNCIL — Respondent

RESPONDENT'S LIST OF REASONS WHY DISPUTED CONDITIONS SHOULD BE IMPOSED AND NOTICE OF ANY ALTERNATIVE CONDITIONS

Council's Notice of Disputed Reasons 31-1-25

Notations in red on approved plan

14. The notations identified in red on the Approved Plan:

(a) are administrative in nature (for example, the identification of the plan and drawing number); or

(b) as indicated, they are "indicative" only and represent one way, but not the only way, that compliance can be achieved with the Disputed Conditions; and

(c) ought to be included on the Approval Plan in any approval of the Development Application.

24. General directions of His Honour Judge Williamson KC on 12-2-25 for Council material to be filed

1. It is a criminal contempt of Court by the Respondents to refuse to comply with the general directions of His Honour on 12-2-25, by -

- filing all material for the trial after the extended date of 22-4-25.
- Seeking contiual extensions from His Honour.

2. It is a criminal contempt of Court by the Respondents to intentionally thwart Manteit's case by refusing to comply with the general directions of His Honour on 12-2-25 by -

- filing all material for the trial after the extended date of 22-4-25.
- Seeking contiual extensions from His Honour.

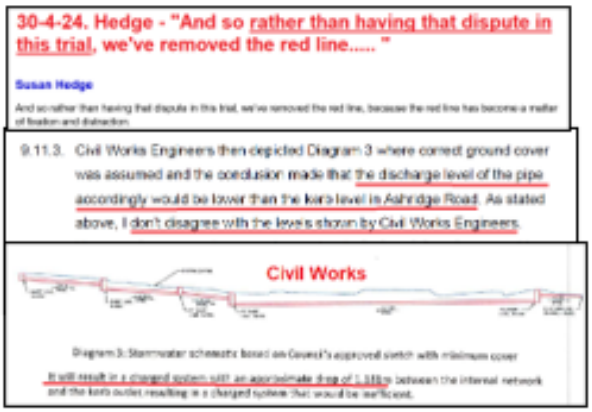
Index

25. Hearing 14-4-25

1. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that Schrinner Council **did not remove the DA approved Upstream Drainage red lines, yet removed them on the day of the trial.**

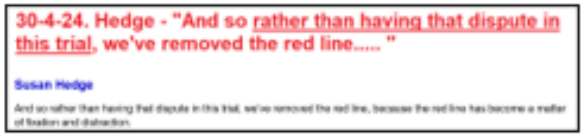
This was an act of omission by all the Respondents, for 7 months.

The Upstream Drainage red lines were removed 5 minutes into the trial on 28-4-25 by Susan Hedge tabling a table of conditions to His Honour.



Susan Hedge did not state at the hearing, that Council's Upstream Drainage pipes flood, or there has been any change in Council's position from 31-1-25.

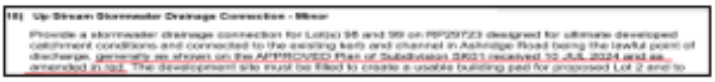
2. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan.



This was an act of omission by all the Respondents, for 7 months.

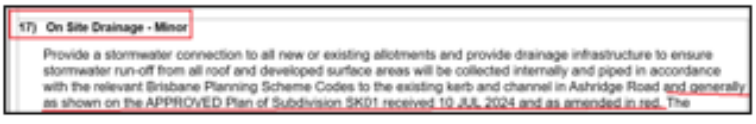
The Upstream Drainage red lines were removed 5 minutes into the trial on 28-4-25 by Susan Hedge by tabling a table of conditions to His Honour.

3. It is a criminal contempt of Court by the Respondents that the **condition 18** was not changed in relation to the reference "generally as shown on the plan" was tabled and removed 5 minutes into the trial on 28-4-25 by Susan Hedge.



This was an act of omission by all the Respondents, for 7 months.

4. It is a criminal contempt of Court , by the Respondents to deceive the Court by all the Respondents that the **condition 17** was not changed in relation to the reference "generally as shown on the plan", but was tabled and removed 5 minutes into the trial on 28-4-25 by Susan Hedge.



This was an act of omission by all the Respondents, for 7 months.

5. It is contempt of Court by all the Respondents that the timing of submission of engineering drawings in condition 18 was not changed to before construction of the pipes from after constuction, but was tabled and changed 5 minutes into the trial, on 28-4-25 by Susan Hedge, and stated By Susan Hedge, at the trial, as being a significant issue in the case.

Index

26. Hearing 24-4-25 Susan Hedge states "it won't work" re Schrinner Council's flooded pipes, 5 minutes before the trial

Contempt of Court

1. It is a criminal **Contempt of Court by Susan Hedge** as an act of omission, for 7 months, failed to inform to the Court at any stage since 19/11/24 until 24-4-25, 5 hearing minutes before the trial, that the Council employee authored, non-RPEQ certified Upstream Drainage pipes were in fact flooded 1.2m under Ashridge Rd Kerb, as per the Corrigan report and Civil works report.

At the hearing 24-4-25, only 5 hearing minutes before the trial, Susan Hedge stated to His Honour Judge Williamson KC -

"It won't work"
"then that won't work"

2. It is a criminal contempt of Court by Susan Hedge, by act of omission for 7 months, to knowingly withhold knowledge form the Appellant and the Court, that the unlicenced Council employee engineered and authored DA approved Upstream Drainage Pipes were flooded since Manteit wrote to 7 unlicenced Council employees on 1/10/24 (filed, see below), as Manteit stated in 13 letters of 108 pages prior to the Notice of Appeal, with Exel calculations and cross sections that the pipes flooded around 1.2m.

3. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner and Dr Freeman to have appointed such a low IQ barrister and wasting over $300,000 in ratepayers money and time on the case 2916/24.

4. It is a criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to withhold information to the Appellant and the Court that was relevant to Manteit's allegations, which were alleged since letter to Council employees 1/10/24 and 13 other letters 13 letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.

5. It is a criminal ontempt of Court by Susan Hedge, by acts of omission, over 7 months, to appear before Judge Williamson KC on 12-12-24, 12-2-25 and 14-4-25 by failing to inform the Court that the RTI and DA approved Schrinner Council employee Upstream Drainage plans flooded 1.2m under Ashridge Rd

In addition Susan Hedge only informed His Honour of the Corrigan report, of which Susan Hedge accepts, evidencing the same flooding, 5 hearing minutes before the trial on 24-4-25.

The unlicenced Council employee DA approved Upstream Drainage pipes would have cause serious nuisance flooding of around 410,000 litres per hour at the kerb and possible death to Darra residents as described in PSP 7.6.1 (1).

Index

6. It is a Criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to incite the owner to break Council and other laws –

- Newtons laws of gravity
- PSP 7.6.1(1)
- BSD 8111 min gradient <.5%
- S7.6.3.1 (2), Pipe velocity at kerb >76L/s,

- Inciting of the owner's RPEQ to lose his licence by preparing an unsatisfactory stormwater plan and being charged for unsatisfactory professional conduct under Schedule 2 of the Professional Engineers Act 2002.

- Causing Manteit potential rectification costs of around $150,000 to remove the Council and Council employee flooded pipe under Ashridge.

- Limiting Manteit to the Upstream Drainage pipe to that approved location to as compelled by S164 of the Planning Act thereby preventing Manteit from placing the pipes and easement in another location.

- Deceitfully thwarting and prejudicing Manteit's ability to prosecute his case at trial.

7. It is aCriminal Contempt of Court by Susan Hedge, of an act of omission, for 7 months, to appear before Judge Williamson KC on 12-12-24,12-2-25, 14-4-25 and 24-4-25 by failing to inform the Court that the RTI and DA approved Schrinner Council employee Onsite Drainage plan red lines -

- Incited breaking of Council laws PSP7.6.2, BSB 8113 by being 5.1m up from the low side of the kerb
- Forced Manteit to raise of the house pad by .5m, costing an addional $172k to correct.

When they were removed 5 minutes into the hearing on 28-4-25.

27. Hearing 24-4-25. Susan Hedge lie re Council position statement.

1. It is a criminal contempt of Court by Susan Hedge to state to His Honour Judge Williamson KC on 24-4-25, around 5 hearing minutes before the trial, and being 5 minutes before the end of that pretrial hearing, that Council's position was as of 31-1-25, when as little as one hour later, it was not Council's position.

2. It is a criminal contempt of Court for Susan Hedge to be silent as an act of omission in the face of Judge Williamson KC 13 times when His Honour Judge Williamson KC stated to Manteit that Council's position for the trial, 13 times, 5 hearing minutes before the trial, was as of 31/1/25.

Susan Hedge knew that a new Council position with further material was being filed the same day, in as little as one hour later, or even before Susan Hedge stated Council's position.

Index

28. Hearing 24-4-25. Judge Williamson KC forced to not read any of the Respondent's material until end of pretrial hearing

1. It is a criminal contempt of Court on 24-4-25 by Susan Hedge to lie to His Honour Judge Williamson KC around minutes before the end of that hearing which equates to 5 hearing minutes before the trial the following -

"But that's the only reason why I can't say yes – he has everything in exactly the form that will be filed or relied on."

"We've provided a draft CEO certificate, and that's the only reason I can't say yes, is because its still in draft.

These statements were made in response to His Honour's question to Susan Hedge

"Ms Hedge, has the Council now provided all of its material to Mr Manteit ?"

In as little as one hour later, or less, somebody from Schrinner Council filed Court document 49, being an affidavit that provided a position statement with totally new material and a change in position.

Perhaps Court document 49 was already filed when Susan Hedge made these lying statements to Judge Williamson KC, on 24-4-25. There is no video for evidence available.

2. It is a criminal contempt of Court by Sara McCabe to assist Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by the Susan Hedge statement "**he has everything in exactly the form that will be filed or relied on.", by an act of omission.**

3. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner and Dr Freeman to give instructions to Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by Susan Hedge making the statement "**he has everything in exactly the form that will be filed or relied on.", by an act of omission, since they have given instructions to make that statement.**

Index

29. Hearing 24-4-25, Susan Hedge - "He has everything in exactly the form that will be filed or relied on" - 5 hearing minutes before the trial

1. It is a criminal contempt of Court, by Susan Hedge at the pretrial hearing, on 24-4-25 to have lied to His Honour Judge Williamson KC and the court, by making the following statements, around 5 minutes before the end of that pretrial hearing and around 5 hearing minutes before the trial -

24-4-45

"Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required."

"Cr Ryan's dealt with that in his report, as as to provide an expert opinion about that"

"Just requires the submission of as constructed plans"

"Council's position is that no other approval is required",

when at the start of the trial, on **28-4-25**, only around 10 hearing minutes later,

Susan Hedge stated to the Court –

"It should say……after approval is obtained from Council about the stormwater drawings"

"That's just by error there"

"It doesn't make sense"

"That is a significant issue in the case"

Judge Williamson KC said –

"Yes"

30. Hearing 24-4-25, "Is there any more from the Council's side I need to know about before Monday?" Susan Hedge "No, I don't think so"

Index

1. It is a criminal contempt of Court on 24-4-25 by Susan Hedge to lie to His Honour Judge Williamson KC around minutes before the end of that hearing which equates to 5 hearing minutes before the trial the following -

"But that's the only reason why I can't say yes – he has everything in exactly the form that will be filed or relied on."

"We've provided a draft CEO certificate, and that's the only reason I can't say yes, is because its still in draft.

These statements were made in response to His Honour's question to Susan Hedge

"Ms Hedge, has the Council now provided all of its material to Mr Manteit ?"

In as little as one hour later, or less, somebody from Schrinner Council filed Court document 49, being an affidavit that provided a position statement with totally new material and a change in position.

Perhaps Court document 49 was already filed when Susan Hedge made these lying statements to Judge Williamson KC, on 24-4-25. There is no video for evidence available.

2. It is a criminal contempt of Court by Sara McCabe to assist Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by the Susan Hedge statement "**he has everything in exactly the form that will be filed or relied on.", by an act of omission.**

3. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner and Dr Freeman to give instructions to Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by Susan Hedge making the statement "**he has everything in exactly the form that will be filed or relied on.", by an act of omission, since they have given instructions to make that statement.**

Background to this section

Index

31. Hearing 24-4-25. Susan Hedge lie in relation to timing of submission of engineers drawings – Condition 18

1. It is a criminal contempt of Court, by Susan Hedge at the pretrial hearing, on 24-4-25 to have lied to His Honour Judge Williamson KC and the court, by making the following statements, around 5 minutes before the end of that pretrial hearing and around 5 hearing minutes before the trial -

24-4-45

"Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required."

"Cr Ryan's dealt with that in his report, as as to provide an expert opinion about that"

"Just requires the submission of as constructed plans"

"Council's position is that no other approval is required",

when at the start of the trial, on **28-4-25**, only around 10 hearing minutes later,

Susan Hedge stated to the Court –

"It should say……after approval is obtained from Council about the stormwater drawings"

"That's just by error there"

"It doesn't make sense"

"That is a significant issue in the case"

Judge Williamson KC said –

"Yes"

Index

2. It is a criminal contempt of Court by Susan Hedge to have made all the statements to His Honour Judge Williamson KC in 1. above, on 24-4-25, in full knowledge that in as little as one hour later, Sara McCabe and Schrinner Council were to file condition changes to S18 of the DA approval, reflecting the same changes to the timing of submission of engineers drawings to before construction of the Upstream Drainage pipes, not before construction of the Upstream Drainage pipes.

3. It is a criminal contempt of Court, by Susan Hedge to have thwarted Manteit's case from 19-11-24 , by

lying to the Court in the hearing on 24-4-25 in relation to the statements in 1, and is a criminal act of omission to not have changed the DA approved condition 18 condition at any of the hearings before, on 12-12-24, 12-2-25 and 14-4-25, when Manteit had made substantial allegations in various letters, to Schrinner Council, as filed. As stated by Susan Hedge, on 28-4-25.

4. It is a criminal contempt of Court, by Susan Hedge for 7 months by an act of omission, to have intentionally thwarted Manteit's case from 19-11-24 to 28-4-25 by her own admission "This is a significant issue in this case".

5. It is a criminal contempt of Court, by Susan Hedge to have prevented Manteit's RPEQ engineer to have ever had an opportunity at any stage to have ever been able to submit engineers drawings since the Schrinner Council employees Upstream Drainage plans were flooded under Ashridge Rd kerb by 1.2m and Manteit's RPEQ would have lost his RPEQ licence for life, due to Susan Hedge lies as per 1. above, and acts of omission by Susan Hedge by not changing the wording from 19-11-24.

6. It is a criminal contempt of Court by the Respondents, by an act of omission. to have made the wording in condition 18 in relation to timing of submission of engineers drawings in the approval dated 19-11-24 when the condition was changed on 24-4-25 by filing of the change (but not informing Judge Williamson KC at the hearing on 24-4-25), and treating the court like fools, for 7 months, when Council knew the pipes were flooded since 2/9/24.

7. It is a criminal contempt of Court by the Respondents to have made changes to the wording in condition 18 on 24-4-25 in relation to timing in the "Reasons for the disputed conditions" but knew full well that this was a significant issue in this case, on 31-1-25, when they made the Notice of disputed reasons..

32. Hearing 24-4-25 Hiding by Susan Hedge of change to condition 17

1. It is a criminal contempt of Court on 24-4-25 by Susan Hedge to state to His Honour Judge Williamson KC *"So condition 18, which is the upstream connection, which seems to be the one most in debate."*

Index

33. Hearing 24-4-25 Susan Hedge . "Can I just put all the cards on the table, to assist, Your Honour

1. It is a criminal contempt of Court by Susan Hedge and all the Respondents to state to His Honour Judge Williamson KC on 24-4-25 *"can I just put all the cards on the table to assist, Your Honour?"*

"So the Civil Works report says that where the red line is, the indicative line on the plan, that won't work"

The very nature of having cards is a statement that you have been hiding something.

The hiding by Susan Hedge for 7 months was that the Council's Upstream Drainage plan would have flooded Darra residents and caused nuisance flooding and possible death.

Refer PSP7.6.1(1)

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

2. It is a criminal contempt of Court by Susan Hedge and all the Respondents, by an act of omission for 7 months, to have held withheld relevant information to the case. In this case, for around 8 months, the fact that the Upstream Drainage plans are flooded by 1.2m under the Ashridge Rd kerb

3. It is a criminal contempt of court by Susan Hedge to have wasted Manteit, His Honour's and the court's time for 8 months. If Susan Hedge had informed Manteit by admittance that the pipes were flooded, when he advised Council employees on 10/10/24, there would have not been any court case.

34. Hiding of court doc 49 - Opening day of the trial 28-4-25

1. It is a criminal contempt of court by Susan Hedge of the highest order, to fail to table Court document 49 to His Honour around 5 minutes after the trial opened on 28/4/25, or at any time in the trial.

2. It is a criminal contempt of Court by Susan Hedge to state to His Honour on 28-4-25, in relation to the table of conditions and Court document 49,

"the affidavits not necessary" and her hiding of the fact that Court document 49 was filed on 24/4/25, in contempt of court.

3. It is criminal contempt of Court by Susan Hedge to not inform His Honour that Court doc 49 was filed in as little as one hour after the end of the hearing on 24/4/25.

Index

35. Court hearing 12-12-24

1. It is a criminal contempt of Court by Susan Hedge and all the Respondents, of an act of omission to deceive the Court on 12-12-24, since they **did not remove the Upstream Drainage red lines** as shown on the DA approved plan, at the Hearing, of 12-12-24, since the Upstream Drainage red lines were removed by the Respondents 5 minutes into the trial, on 28-4-25 by Susan Hedge, some 7 months later.

2. It is a criminal contempt by Susan Hedge and all of the Respondents,of an act of omission, to deceive the Court on 12-2-24 Court to deceive the Court on 12-12-24, by all the Respondents that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan, at the hearing, of 12-12-24, since the Onsite Drainage red lines were removed by Susan Hedge, 5 minutes into the trial , some 7 months later.

3. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission, that **condition 18** was not changed in relation to the reference "red lines as generally shown on the plan" on 12-12-24, but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.

4. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission, that **condition 17** was not changed in relation to the reference "red lines as shown on the plan", but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.

5. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission. that a requirement for submission and approval by Council of engineering drawings prior to construction of the Upstream Drainage pipes as described in Condition 18, was not changed at the hearing on 12-12-24.

Index

36. Susan Hedge requiring stormwater pipe ok to "going straight through the middle of the lot"

1. It is a criminal Contempt of Court by **Susan Hedge** by incite the owner to break Council laws, Planning Act laws and Planning Court precedence.

- S164 of the Planning Act 2016 $751,000 fine
- BSD 81111

Precedent Henderson V Brisbane City Council 4139/18, by stating to His Honour on 30-4-25 -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been gererally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

2. It is a criminal contempt of Court by **Susan Hedge** to have attempted to deceive the Court on 30-4-25 by stating to His Honour -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been gererally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

3. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to attempt to **prevent the owner from building a house on their block**, if a stormwater pipe is placed directly under the house, by stating to His Honour on 30-4-25 -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been gererally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

4. It is criminal contempt of Court by Susan Hedge, on 30-4-25 to attempt to block the owner from installing services to the block, thereby preventing the owner from subdividing the block due to the constraints of the Council standard easement document.

5. It is a criminal contempt of Court by Susan Hedge to be in conflict with her own evidence of Corrigan report which she supported on the same day that no engineer would allow a stormwater pipe to go under the slab.

6. It is Contempt of Court by Susan Hedge to have **two different Council positions on the same day.**

37. Forcing of witnesses by Susan Hedge to change their witness statement re timing of the engineer submissions on day of trial.

1. It is a criminal contempt of Court by Susan Hedge to force **witness Corrigan** on 29-4-25 to change his report in relation to timing of engineering submission for approval, to that of his previous report dated 22-4-25.

2. It is a criminal contempt of Court by Susan Hedge to force **witness Ryan** on 29-4-25 to change his report in relation to timing of engineering submission for approval, to that of his previous report dated 22-4-25.

Index

38. Offences committed by Manteit RPEQ engineer and plumber if the Council Upstream drainage pipes were designed by the RPEQ or built by Manteit

1. It is a criminal contempt of Court by the Respondents to force Manteit RPEQ to design the DA approved Upstream Drainage pipe that is flooded by 1.2m under the Ashridge Rd kerb and >76 L.s pipe velocity, as stated by -

- Corrigan report 22-4-25
- Civil Works report 31-3-24
- Susan Hedge stated "it doesn't work" on 28-4-25

Because Manteit RPEQ would have been charged with Unsatisfactory Professional Conduct and lose his licence for life and receive a jail sentence.

2. It is a criminal contempt of court by the Respondents to force my RPEQ engineer to design the Upstream Drainage pipes since would have caused nuisance flooding to Darr residents, as described in his report 31-3-25 and cause loss of life to Darra residents

3. It is a criminal contempt of Court by the Respondents to **force my Plumber to construct** the Upstream Drainage pipes since they were flooded 1.2m under Ashridge Rd.

4. It is a criminal contempt of Court by the Respondents to **force my Plumber to construct** the Upstream Drainage pipes since they were flooded 1.2m under Ashridge Rd and would cause loss of life to Darra residents.

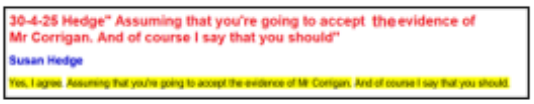
Should my RPEQ have designed a pipe in a different location, the RPEQ would have received a **fine of $164,000 under S164 of the Planning Act, being engineering classed as building work.**

5. Should my RPEQ have built a pipe in a different location, he would have received a **fine of $164,000 under S164 of the Planning Act, being engineering classed as building work.**

Index

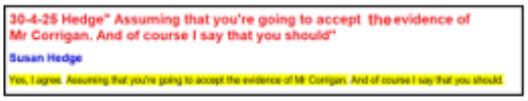
39. Corrigan report and witness statement

1. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state she accepts the Corrigan evidence and therefore incite the owner to construct two illegal flooded Upstream Drainage stormwater plans as stated in the Corrigan report and in the witness stand, that would cause nuisance flooding of around 410,000 L/s to the residents of Darra and possible loss of life.



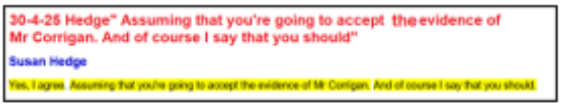
2. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state that she accepts the Corrigan evidence and therefore incite the owner to construct one of two further Corrigan illegal flooded Upstream Drainage stormwater plans, as stated by Corrigan in the witness stand during the trial, which would cause nuisance flooding to the residents of Darra and possible loss of life.

3. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state that she accept the Corrigan evidence in court on 30-4-25, by inciting the owner to incite Manteit to break Council and other laws, as a result of including -



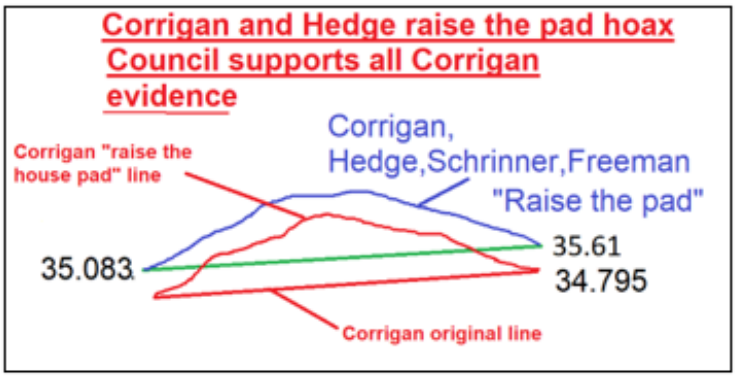
- PSP 7.6.3.1(2) being >30L/s at the kerb for the entire development including external catchment
- Breaking of BSD 8113 >30 L/s at the kerb for the entire development including external catchment
- BSD 8111 min .5% fall not achieved
- Newtons law of gravity – flooded.
- PSP 7.6.1 (1) – nuisance flooding and loss of life.

4. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and then inciting the owner to construct Upstream Drainage pipes in contravention of **Newtons's law of gravity, that will flood the residents of Darra, and cause loss of life.**



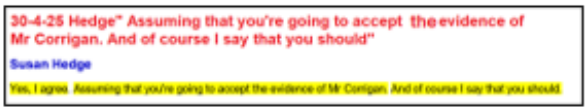
5. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and then by proposing that the Respondents could **fix the Corrigan report flooded pipes by raising Manteit's pad level by 790mm in the middle of the land, which does not work due to the kerb and the rear neighbour's surface level and invert level are fixed an cannot be raised or lowered.**

Index



Manteit depiction of Corrigan and Susan Hedge fantasy of raising the pipe in the middle to fix Corrigan's flooded pipes from his report dated 22-4-25.

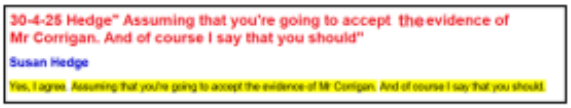
6. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by inciting trespass of **neighbours's properties to fill their land**, to make good, and achieve compliance with pipes that are charged by 790mm.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

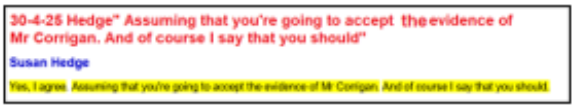
7. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court in the trial to deceive the Court by **using a garden pathway to fix their flooded plans by 790mm.**

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

8. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by accepting Corrigan's claim that **'a lot of problems would be solved by placing a pipe straight across Lot 97**, of which an easement which would block services to the land, construction of any structure, as His Honour stated to Susan Hedge on 30-4-25.

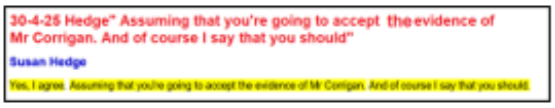

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

9. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to incite the breaking of Council laws -


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- BSD 8113, being >30 L/s at the kerb.
- PSP &.6.3.1(2).

10. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 orce a judge to accept the use of Corrigan **fake Stormwater Master Plan** terminology that

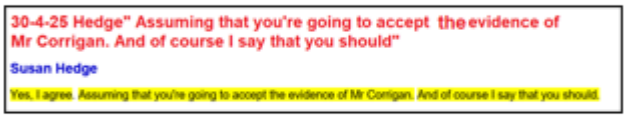

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

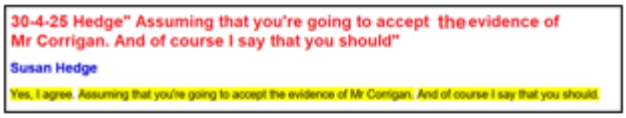
Index

does not exist, in order to pretend to raise the perceived level of authority the witness, due to the existing low IQ level of the witness.

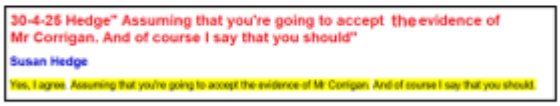
11. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive His Honour Judge Williamson KC by the use of another further flooded stormwater plan promoted by Corrigan in the witness stand, to go **up the side garden path,** for an Upstream Drainage pipe, when the Corrigan report had already placed pipes in the garden path.



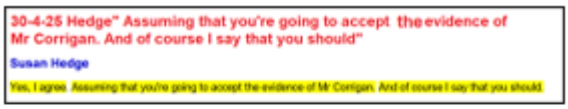
12. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the court by inciting of building **two illegal townhouses** that would incite a development offence that would attract a fine of $751,000 and possible jail sentence to the owner, if built. That is tantamount to fraud by Corrigan and the Respondents, not just an engineering opinion.



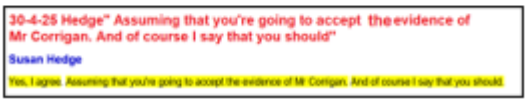
13. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by promoting a **fake Stormwater Master Plan** that Corrigan admitted in the witness stand that that terminology does not exist, (only in fantasyland) .This is tantamount to fraud by Corrigan and therefore the Respondents.



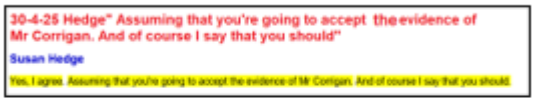
14. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by accepting the Corrigan report which used **7 illegal plastic kerb adaptors, as per BSD 8114, in the middle of a lot**, when only concrete stormwater pits approved under BSD 8091 are legal for plan sealing. BSD 8114 relates to kerb adaptors. The use of fake Corrigan kerb adaptors would have prevented Manteit from sealing the plan.



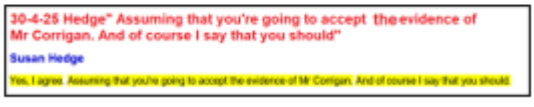
15. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by inciting the building **2 houses illegally on one lot.** This act would attract a fine of up to $750,000, demolition orders and possible imprisonment.



16. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by inciting a fantasy method to fill up the land to make good up to 4 Corrigan flooded stormwater plans.



17. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court with the Corrigan self statement that his report is **rudimentary".** The report would be

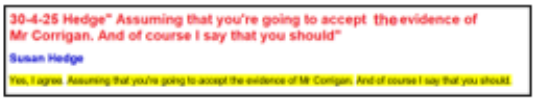


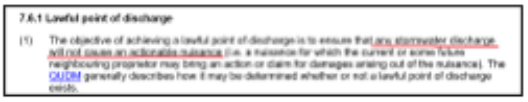
Index

illegal under Schedule 2 of the Professional Engineers Act 2002, on that basis, being unsatisfactory professional conduct.

18. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the court by forcing of His Honour to believe in **200 illegal rainwater tanks in neighbour's yards** could stop or reduce flooding into Manteit's and other Darra residents land.

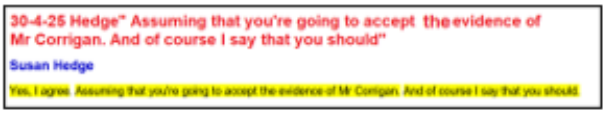
19. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to accept the evidence of Corrigan and to incite the breaking of Council laws in relation to use of rainwater tanks -





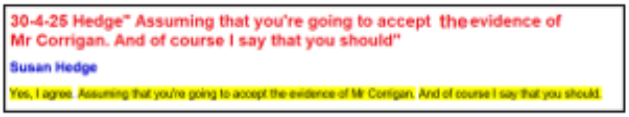
- PSP 7.5.3 (6)
- PSP 7.6.1.

20. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to attempt to deceive the court and being fraudulent by using **"Level II drainage"** in engineering calculations as in S9.7 of the Corrigan report, when Level III is correct, not leve I. Level III is to be applied for a material use, ie, subdivisions.



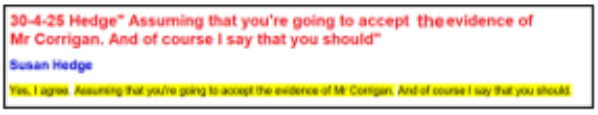
21. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 for Corrigan to fraudulently use **Brismap 2019 contours**, in the Corrigan report when Contours **2002 are the legal contours. All Corrigan's calculations are therefore fraudulent and illegal.**

22. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and state that Corrigan "used the same parameters as Civil Works" This is a fraudulent statement by Corrigan.



23. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to incite the ise of **illegal half houses**, as per Corrigan's report. This statement is fraudulent by Corrigan. "One townhouse plus **half existing house**', "**Half a townhouse**, **half existing house**"

24. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25, and to blatantly deceive the court by Corrigan in his report, boasting that he was **better than other engineers** by using 2 zeros when this was a blatant lie to the Court.

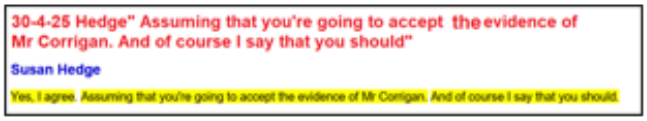


Index

25. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and and therefore the hiding of the total flooding flow L/s in his report, caused by his two Upstream Drainage plans which would cause nuisance flooding under PSP 7.6.1(1).

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

26. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25. and of the inciting to install **illegal rainwater tanks** in rear lots, and incite the breaking of laws -


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- PSP S7.5.3 (6)
- PSP 7.6.1 (6)
- QUDM 5.4.2

and therefore causing nuisance flooding and loss of life to the residents of Darra.

27. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25, including his fraudulent statement that he used Level III drainage for calculations, (to b?e applied in the case of Upstream Drainage), instead of Level II drainage (not for subdivisions), not complying with council laws -

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

PSP 7.6.3.1(2)

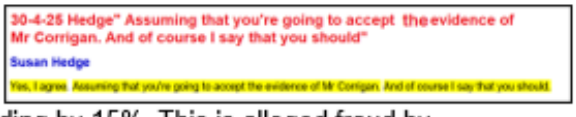
28. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's fraudulent use of Contours 2019 instead of Contours 2002 as this practice would make all his calculations and assumptions totally voided.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

29. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's boasting of use of numbers with **many different decimal places and zeros**, indicating Unsatisfactory Professional Conduct of a registered professional engineer. Corrigan claimed he was better than other engineers with his 3 zeros. This is alleged fraud and incompetence.

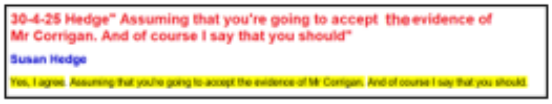
30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

30. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's use of a **fake fraction impervious (fi)** used instead of Coefficient of discharge formula, which understated his rear lot flooding by 15%. This is alleged fraud by Corrigan.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

31. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 when **Corrigan intentionally hid his total flooding in his report**, which took about an hour in court for Corrigan under interrogation by Manteit to admit what his total flooding was.



32. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court when Corrigan fraudulently understated his flooding calculations by using illegal **"two townhouses"**, as the definition of a Multiple dwelling prescribes a minimum of 3 townhouses, not two,

b. Worst case upstream development assumed to be two townhouses per lot, each 180m2, the townhouse towards Killarney Ave to discharge to Killarney Ave, the rear townhouse to discharge towards the subject lot. **Corrigan**

Corrigan Intentional fraudulent statement - *"worst case upstream development assumed to be two townhouses per lot (rear lot)"*

33. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by Corrigan, by failing to state the application of the following Council laws in his report or testimony -

- PSP 7.6.3.1(2)
- PSP 7.5.3 (6)

34. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 by Corrigan deceptively stating that (a) The worst case is 180sqm per lot, totalling 360sqm, being around 35% site cover/roof area, when the true site cover is 60% to 80%.

35. It is a contempt of Court by Corrigan and the Respondents to deceive the Court by inciting trespass of neighbours' properties to fill the neighbours properties land.

40. Corrigan's statements as a witness

1. It is a criminal contempt of Court by Susan Hedge for accepting the evidence of Corrigan on 30-4-25 and accepting the witness conduct of Corrigan of refusing to cooperate with Manteit's enuiries, and being evasive in the witness stand at various times between 28-4-25 and 30-4-2.

Corrigan evaded questions put to him by Manteit, those questions being relevant to the case, and in addition, Corrigan was demonstrating substantial unsatisfactory professional conduct, that of a professional engineer, as indicated in the following extracts of his witness testimonies.

Index

41. Ryan report

1. It is a criminal contempt of Court by Susan Hedge on 28-4-24 to force Ryan in the witness stand to change his witness report on the day of the trial, by stating his new position of which Susan Hedge stated was a significant issue in the case.

His Honour said "Yes"

The change was Ryan's position on the timing of engineering submissions, from his report dated 22-4-25, being originally after construction to prior to construction of the pipes.

2. It is a crimonal contempt of Court by Susan Hedge to categorically state to His Honour on 24-4-25 that Council's position for the trial was that the timing of submitting engineering plans was after construction of the pipes, when only 5 minutes into the trial, Susan Hedge stated it was after

42. Intentional withholding of Easement document by Schrinner Council, Council employees, Cr Schrinner and Dr Freeman

1. It is a criminal contempt of court by the Respondents, of an act of omission for 7 months, to totally prevent Manteit from prosecuting his case at the trial, due to non-supply of the Council easement, first requested to 6 Council employees on 1/10/24, asking 27 questions of them of the easement document, without response.

2. It is a criminal contempt of Court by the Respondents, for 7 months to withhold from Manteit the Council easement document and pipe level information of the Upstream Drainage within the easement documents, pertaining to the Upstream Drainage pipes by -

- Schinner's Council.
- Susan Hedge
- Cr Schrinner
- Dr Freeman
- Sara Sara McCabe

3. It is a criminal contempt of court by the Respondents, for 7 months to refuse to respond to all telephone requests and letters from Manteit to supply of the engineering information that pertained to -

- Wording of the Council prepared easement document
- Copy of the Council prepared easement document
- Surface level and invert level of the Council employee authored engineered pipes and

4. It is a criminal contempt of court of a criminal standard by the Respondents to accept all Corrigan evidence and deceive the Court by Corrigan **concocting 8 flooded plans by Corrigan** that all relied on an illegal easement crossing the front yard of Lot 2.

5. It is a criminal contempt of court by Cr Schrinner by refusing to supply a copy of the Council easement document, when he was written to by Manteit, on 5-6 occasions, prior to the Notice of Appeal of 19/11/24, as per filed documents in the table below.

6. It is a criminal contempt of court by the Respondents to prevent Manteit from designing any Upstream Drainage pipe.

7. It is a criminal contempt of court of a criminal standard, by the Respondents to accept all Corrigan evidence and attempt to deceive the court by relying on Corrigan's 8 flooded plans with illegal easements

Index

44. Susan Hedge and Sara McCabe intentionally placed a fake name on court order 12-12-24

1. It is a criminal contempt of Court by Susan Hedge to knowingly hand a false document to His Honour on 12-12-25, being a proposed Court order for 12-12-24, that was filed by City Legal, with Manteit's name incorrectly spelt.

1. It is contempt of Court by Sara McCabe to instruct Susan Hedge to hand that document in 1. To Hid Honour, on 12-2-24.

2. It is a criminal contempt of Court by Susan Hedge to falsely state to His Honour 12-2-25, "its just a typgraphical error", since Manteit had already given Sara McCabe 3 warnings of contempt of court id she did not fix up the error, including a filed document on 271/25.

3. It is a criminal contempt of Court by Sara McCabe to refuse to notify the Registrar of the incorrect spelling, when McCabe was given 3 warnings of contempt of Court from around 46 days from 12-2-25.

Index

9. Documents to be relied on in this Application in Pending Proceeding.

Date filed	Doc no.	Court Doc	Doc Date	Brief comments only.
19/11/24	10	Notice of Appeal	19/11/24	
19/11/24	11	Grounds of Appeal	19/11/24	
19/11/24	12	Affidavit	19/11/24	Statement by Manteit, Manteit flood calculations, Statement that Council withholding of source documents, Manteit experience
20/11/24	13	Affidavit	20/11/24	Upstream Drainage cases 1/1/24 to 12/11/24
4/12/24	14	Affidavit		Letters by Manteit to Council 12/11/24 to 26/11/24 Crime and Corruption Commission warning.
4/12/24	15	Affidavit		Letters by Manteit to Council 1/10/24 to 25/10/24.
12/12/24	17	Order	12/12/24	
28/1/25	20	Afidavit		Order of law, Crime and Corruption Commission warning, Refusal to supply easement document. Manteit advice Upstream Drainage flooded over 1m.
28/1/25	21	Affidavit		Audit of 412 approved cases 2024.
30/1/25	22	Affidavit		Letter to Crime and Corruption Commission
31/1/25	23	List of reasons why Disputed Conditions should be imposed.		
10/2/25	24	Reply	10/2/25	Reply to List of reasons
13/2/25	25	Order	13/2/25	
24/3/25	26	Affidavit		Fall of land
24/3/25	27	Affidavit		Right to information 41 pages from BCC
27/3/25	28	Affidavit		RTI audit review
31/3/25	29	Affidavit		Civil Works
31/3/25	30	Outline of submissions		
31/3/25	31	Town Planning Report		
16/4/25	40	Affidavit		
22/4/25	42	Further submissions for trial	22/4/25	
23/4/25	44	Corrigan report	22/4/25	
23/4/25	45	Ryan report		
14/4/25	47	Order	14/4/25	
24/4/25	48	Affidavit		Council objections
24/4/25	49	Affidavit		Table of conditions

Index

24/4/25	50	Dr Freeman certificate		Dr Freeman affidavit intentionally signed on 24-4-24 and filed in contempt on 24-4-25.
24/4/25	51	Dr Freeman certificate		Dr Freeman affidavit intentionally signed on 24-4-24 and filed on 24-4-25 and filed in contempt on 24-4-25.
6/5/25	52	Order		
27/11/25	61	Outline of argument		
27/11/25	62	Affidavit		Letter to Freeman, Schrinner
27/11/25	63	Affidavit		Warning to Freeman, Schrinner
28/11/25	64	Application in Pending Proceeding		
8/12/25	65	Affidavit		Correction
8/12/25	66	Affidavit		Right to Information
11/12/25	71	Further oral and written submissions for hearing on 11-12-25		Various
14/1/26	73	Affidavit	1/10/24	Letter to 4 Council employees. 27 questions and statements regarding easement and flooded levels of Council employee Upstream Drainage pipe. No response. “I request that you respond to my request to the following in relation to S7 of the approval dated 25-9-24. “Council has taken it upon themselves to provide a **half baked red line on a plan of subdivision, without any details. You designed it, I didn’t”.** “Council did not provide this plan as prepared by them prior to final approval.” ***“Council stormwater plan does not work, for many reasons”*** ***“Please provide surface levels and invert levels of the 225mm stormwater pipe”*** *5) “Is there **restrictions in the easement** document for other services such as NBN, power, water supply copper pipes”*

Index

				16) ***"Please provide cross section of the above, for clarity. This information affects surface levels and invert levels"*** *17) "Please provide* ***restrictions of the easement in any way, shape or form"*** ***18) "Please provide any other requirements of any restriction"*** *23) "Can a carport without footings in the easement be built over stormwater easement?* *26) "Does the easement restrict distances to retaining walls and houses.?"* *"If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the Court to consider this action and take into account any costs of the case."* *"It is stated in the approval that Council will prepare the* ***easement document****, not mine"* *"Please provide by 5pm today responses to the above questions and the following –* *Wording* *All plan view* *Cross sections front, back, left, right that take into account of the above"* *"Today I requested by telephone to the receptionist to talk to the City Legal Team.* have not had a response from that legal team. Please get them to respond by 10am tomorrow." *"Joel Wake. He called me. I did not call him."*

Index

				I asked him several questions – *"Please provide the easement document wording proposed" He said "that's down the track". I said "No, its now. I need to assess the red line now"* *"Have you checked the easement pipe for falls?"* *Wake said he didn't know the answer to any of my questions. I said "Surely you state that you are the assessment manager, but you have no knowledge of these items?"* *"I asked Wake if he assessed the stormwater pipe. He said no. He said you should contact them. They will tell you."* *I asked " what are their names? They are not called They.* ***Wake said he did not know their names.*** *"I asked Wake – "who is the assessment manager for Planning Act purposes? He said* ***"I am the assessment manager"*** ***"I asked Wake again– Have you assessed the stormwater pipe if you are the assessment manager?"***
14-1-26	73	Affidavit Letter to Orr, Piper, Ruhland, Gibbs, Ting	4/10/24 8 pages	*"I asked Wake 10 questions. He said he never assessed the stormwater matters relating to the application"* *9) "It is noted that BCC has* ***not responded to any of my questions from 1-10-24.*** *"This is unprofessional and* ***hinders the chance to reduce scope of my change representations or appeal"***

Index

				"The judge will ask why I didn't sort out these matters before coming to Court" ***"The placement of a charged red stormwater line designed by BCC without any basis whatsoever and refusal to respond to questions from the applicant is a serious matter"*** *"There are many obvious blunders in the BCC approval which could be eliminated now by BCC being honest and truthful, by you not responding to questions"* *For example, why should I have to make a change representation regarding an obvious BCC blunder?* *10) Approval provides for the City Legal Team to prepare the **easement** document. Please advise, as already requested verbally to the receptionist (City Legal), a contact name that I may clarify the issues as mentioned in my letter of 1/10/24.* *Wake said "i dunno about that easement document. I will try…..Thanks for nothing, Wake. Still no response from Wake "trying". Zippo.* *Otherwise please specifically state for court purposes that BCC is not willing to discuss the matter. This is for the sake of clarity for court purposes.* *11) Please provide the name of your **engineer** that is will ing to discuss all engineering matters. There are names of engineers in the approval. Is this your implied authorisation for myself to telephone them?*

Index

				Refusal of same will provide clarity for others. ***Same 27 questions*** *regarding the* ***easement*** *as letter of 1/10/24.*
14-1-26	73	Letter to City Legal, Orr,Ting, Piper,	10/10/24 23 pages	"Questions attached including stormwater" "it is noted that there has been no response to my last letter re easements." Please provide your answers to the following questions by Thursday 5pm 10/10/24. Time is of the essence." "I wish to advise that any refusal to provide truthful and transparent responses could be detrimental to any future P & E Court case for any or both parties." Margaret Orr has refused to provide answers to these questions. "Lucy Ting on 9/10/24 by telephone has refused to provide answers to these questions" "Crosssection of BCC charged line for "alleged upslope" properties" **.907m**, **.984m** and **1.269m** under Ashridge Rd kerb Please advise what associated works would be required to "enable" when it is painfully obvious that the AHD 35.166 commands the block and a legal point of discharge is already enabled. "Please demonstrate why the **site must be filled** to enable lawful point of discharge for the Ashridge Rd lots." The red line is charged by .907m The red line is charged by .984m The red line is charged by 1.269m

Index

				4. Please advise if you disagree with the above statements highlighted in yellow. 5. Please provide BCC surface levels and invert levels of BCC proposed stormwater red line plan for supposed upslope rear lots used in the assessment of the red line. This has been asked many times to BCC including Joel Wake verbally and letters in writing recently. Council refuses to provide same. Dishonest. It is your design, not mine. You take ownership of the red line. "There is certainly no fill required to service a bulding pad for Lot 2 or the existing Lot 1, for legal point of discharge purposes. 9. How is the applicant able to construct a BCC red line? Can BCC show BCMT how this is done? 10. Will BCMT be able to inspect a stormwater end of line at the kerb that is .907mm, .984 mm ,1.249mm below the kerb? *11. The pipe is too low, by at least 904mm.* *Picture of levels of existing land falling from Ashridge Rd to the rear of the land.* *13. Can BCC advise why there is a need for fill if the subject site is downslope from the rear lots?* *"The development site must be filled to create a usable buildin pad for proposed Lot 2" "A charged*

				system does not achieve an acceptable point of discharge" *20. Is Council aware that no amount of fill, one inch or ten metres, can raise the alleged upslope property stubs ?* *It is simply ludicrous that Council think that they can magically change the height of the neighbours stub.* *This stub needs the appropriate amount of cover.* 22. Can BCC RPEQ please provide their crosssections and mathematical calculations used to determine legal point of discharge? I have provided my calculations. Please provide your calculations by 5pm Thursday 10/10/24. 23. (a) It is your (Council) plan not mine. You invented the red line, not me. The onus is on the author of the design to be transparent and truthful, not be mischievous and hiding. **"I require your responses by 5pm Thursday 10/10/24"** "Should you choose not to respond, this action or nonaction may be taken into account by a Planning Court judge. I reserve my right to claim damages for your no responses which may cause extra costs." **"I am entitled to responses to all questions since Council is the author and designer of the stormater line. I am not the author.**

Index

				"Once again, you have boxed myself into extra costs now." **"If you are proven wrong it is BCC who will pay the costs. You had your chance."**
14-1-26	73	Letter to City Legal, Orr, Ting, Piper, Ruhland, Gibbs,	11/10/24 8 pages	"Att Paul, City Legal" I spoke to Paul of City Legal today. I informed him that I need – 1) A copy of the **easement document** for stormwater which is council responsibility. 2) Response to the questions in writing I emailed Council on 1/10/24 regarding the proposed **easement.** Council have failed to send a response after 10 days. I put the Council on notice that **I intend to lodge an seeking a court order for BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/24** **.** "Council haven't stated what in fact is in the **easement document** and the subsequent effect on the development" "Is the owner allowed to jump over the easement?**"** **"The sooner the Council attends to answers to these questions the sooner the matter can be resolved in respect of easements and save everyone's time and CCC costs"** "The judge will take into account when giving the costs orders for all your incorrect stormwater design and fill calculations." Copy of letter 1/10/24.

Index

				Council on 1/10/24 regarding the proposed stormwater.
14-1-26	74	Letter to Orr.Piper,Ruhland,Wake,Ting,Gibbs,City Legal	14/10/24	“In a nutshell, Council is deliberately impacting and denying the ability of the applicant to provide a robust S75 notice representations and/or S230 appeal due to the withholding on the misleading detail of approval conditions” Joel Wake has refused to provide answers verbally or in writing to the following questions. Margaret Orr has refused to provide answers verbally or in writing to the following questions. **“Cross sections and plan view of Council design”** **“Applicant plan view and side elevations of applicant design”** **“Calculations of falls of Council sham stormwater proposal red lne”** Plan view and cross sections provided. “The cross sections and calculations for the Council sham rear block stormwater system design (or no design) is charged under all three scenarios. “On this basis, not a teaspoon of fill is required for legal point of discharge” “2. How was the fall though the development calculated?" “I have invited Joel Wake to inspect the property with a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn’t assessed the

				stormwater calculations, nor engineering, nor "**easement document** to be prepared by Council" "Why should an applicant be required to make a S75 or S230 on a sham Council red line that is subject to detailed design?" "Is BCC aware that no amount of fill can magically change the height on the site," "In contrast to Urban Utilities for a manhole easement to be against the boundary. This was covered in my questions re **easement,** which is still unanswered" "Lucy Ting on 9/10/24 by telephone has refused to provide answers to these questions and hung up after 60 seconds." "Should you choose not to respond, this action or nonaction may be taken into account by a Planning Court Judge. "I am entitled to responses to all the questions since Council is the author and designer of the stormwater line. Once again, you have boxed myself into extra costs now.
14-1-26	74	Letter to Sara McCabe, Orr, Wake, City Legal, Ting, Ruhland, Gibbs	21/10/24	3) "Can Brisbane City Council provide a statutory declaration signed by Magaret Orr stating that the proposed stormwater pipes and **easement** are not in conflict of the Zone of Influence legislation….." "5. Can Brisbane City Council lodge with the Planning Court an affidavit of the consent from Urban Utilities for Brisbane City Council to have an **easement** over the same land that Urban Utilities has a statutory **easement** over ?"

Index

				“6, Could any of the Brisbane City Council Development Services Team advise which person assessed/addressed the design of the private drain to sewerage stub in the proposed **easement** plan and **easement** documentation. “8) Please advise what compaction your **easement** document or standard drawing is calling for….”
14-1-26	74	Letter to Lord Mayor, Orr, Sara McCabe, Ting, Ruhland, Gibbs, Piper, Wake	24/10/24	**To the Lord Mayor”** **“128 ASHRIDGE RD DARRA DAVID MANTEIT EASEMENT DOCUMENT AND OTHER”** **“128 ASHRIDGE RD DARRA EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24 AND OTHER”** **“Brisbane City Council appears to have no ordinary nor legal representation” You leave me no option but to correspond with the Lord Mayor.** **1) I require the document wording of the** easement **document, as per your duty of the approval.** “The Planning Court judge will want this material filed now. Time is of the essence. Your failure to provide may be seen as general contempt of the applicant, your ratepayers who will be footing the bill, and the Court judge, since I have asked some 20 questions of the **easement** document many times including of 1/10/24. That is 21 days ago. Silence. Why? Silence. Council is hindering my business, Damages have already been requested in orders for loss of business.

Index

				"This is why I need to sight the specific wording of the easement. I must identify all **easement** constraints to the construction constraints."
14-1-26	74	Sat dec letter to Lord Mayor, Sara McCabe, Ting, Piper, Wake, Ruhland,	25/10/24	**"Extract of court case warning by David Manteit 14/10/24.** **"1) A copy of the easement document for stormwater which is council responsibility."** **"I put the Council on notice that I intend to lodge an seeking a court order for BCC to my questions of 1/10/24, 10/10/24 and 11/10/24.** **List of 8 emails not responded to.**
14-1-26	74	Letter to Lord Mayor, Sara McCabe, Piper, Gibbs, Ting, Orr,	25/10/24	**To The Lord Mayor** **128 ASHRIDGE RD DARRA** **DRAINAGE PLAN AFFIDAVIT REQUIRED.** **"The sewerage pipe and end cap, in the middle, and crossing at around 90 degrees of Council proposed stormwater easement"**
14-1-26	74	Letter to City Legal, Joel Wake	11/11/24	**"The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors"** **"This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith."** **"In addition, the following is required-** **Surface levels and invert levels of the pits. Cover, pipe diameter.** **Easement document as per S7 approval.**

Index

				Name of person who designed the red line and their licenced number" **S7.4.7** **Underlined in red –** 1. For underground stormwater facilities with or without drainage **easement** terms" a. any proposed works contravening the drainage **easement** terms. "The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed. The stormwater line cannot be built as per Council's own guidelines. Council refuse to supply a copy of the **Easement document**, which is a requirement of 7.4.7. Should the information not be provided by Wednesday 13-11-24, David Manteit shall lodge an application to Court for specific performance and damages. Specific performance to supply the said information which currently prevents David Manteit from construction of the red line. I await your response by Wednesday 13-11-24.
14-1-26	75	Letters from Crime and Corruption Commission		
14-1-26	76	Proposed orders		
14-1-26	77	Affidavit re transcripts		
26-1-26	78	Application to Join Respondents		
26-1-26	79	Amended Application in Pending Proceeding		

Index

10. Crime and Corruption Commission

1. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner, by an act of omission, by withholding relevant information, as an act of omission. to have failed to audit and control their unlicenced Schrinner Council employees that have prepared and produced Right to Information documents and DA approved Council employee flooded engineered Upstream Drainage plans and wasted Manteit's (DA applicant) and the court's time and costs for 7 months, by withholding relevant information regarding Manteit allegations and Council engineered source documents prepared by Council, not Manteit, and have triggered Manteit application by withholding that information

2. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner , by an act of omssiosn for 7 months, to have failed to audit and control their unlicenced Schrinner Council employees, who have prepared and produced Right to Information documents and DA approved Council employee authored flooded engineered Onsite Drainage plans and wasted Manteit's (DA applicant) and the court's time and costs for 7 months, and have triggered Manteit application by withholding that information

3. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner , by an act of omission for 4 months, to have failed to audit and control their unlicenced Schrinner Council employees, who have prepared and produced DA approved Council employee authored fake engineered fill conditions 12,17,18 and wasted Manteit's (DA applicant) and the court's time and costs for 4 months.

4. It is a criminal contempt of Court by Schrinner Council, Dr Freeman and Cr Schrinner to fail to disclose the occurrence of unlicenced engineering by Schrinner Council employees, at any time, that occurred from 2-9-24 to 19-11-24, to Manteit, and the CCC, as corrupt conduct.

Background to this section

1. Manteit received correspondence from the Crime and Corruption Commission on 17-9-25.

2. The CCC letter stated –

"The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicenced engineering."

"The CCC has considered the information you have provided and, after applying the principles in s 34 and s 35 of the CC Act, determined the complaint is appropriate to refer the Complaint to the council."

"The CCC Act goes further, and in S35 provides the CCC, in performing its corruption function, ***must focus on the more serious and systemic cases of corrupt conduct.****"*

In effect –

Index

3. The CCC had acknowledged all the information provided by Manteit up to their writing of that letter.

4. As of the date of this Application in Pending Proceeding, Dr Freeman and Cr Schrinner nor Council Ethical standards have provided a formal response to Manteit, as reqby the CCC.

5. Jack Beyer, for Council, ex CCC policeman, sent me an email, without referring to any CCC reference. The email stated the subject of the letter was a Manteit paragraph of 4 lines from an unknown document. Cr Schrinner and Dr Freeman continue to fail to respond, now to external parties.

6. Manteit has written to Beyer, stating that the response by him is informal and insufficient.

- The response by Cr Schrinner and Dr Freeman is non-existent.
- Beyer was asked by Manteit to respond, but he has refused to respond to that letter.

7. It is expected that the CCC will commence action in their own right, to investigate Schrinner Council employee "systemic cases of employee corrupt conduct." (CCC).

8. Sara Mcacbe has lied to Manteit, in a letter by her to Manteit dated 23-4-25. Sara McCabe denied the statement by His Honour –

"But you have my assurance tht in due course that will have to do so in some detail from what I can see."

The only way of His Honour could provide *"my assurance"* (His Honour's) in my view, is that His Honour would have dealt with the CCC matter himself. However, during the trial, His Honour stated similar words it was not his job". Perhaps His Honour can provide clarification of that statement made by him on 14-4-25, in due course.

9. I mention here that my statement to Sara McCabe regarding the date mentioned of 12-4-25 was in fact 14-4-25.

Index

Judge Williamson KC **14-4-25 Hearing**

Ms Hedge, I have to say this. I... I'm conscious that there's things in the material about Crime and Conduct Commission and there's allegations about particular council officers.

In due course all this can be made about, all of that.

I don't need you to put anything on the record about it. Alright. I don't think anything's gained by doing that. I understand.

But you have my assurance that in due course that will be have to do so in some detail from what I can see.

Second thing is, so the date for delivery of Council's material is Easter Monday? Yes. Okay. So you'd like to move that to the Tuesday?

Susan Hedge

Yes, please.

Judge Williamson KC

Okay. Consider that done.

Susan Hedge

Thank you.

14-4-25 His Honour to Hedge - "I'm conscious that there's things in the material about Crime and Corruption Comission and there's allegations about particular Council officers"

14-4-25 His Honour statement to Hedge - *"But you have my assurance that in due course that will have to do so in some detail from what I can see"*

14-4-25. Note - no offer was made by His Honour nor acceptance nor agreement by Manteit was made for delay of delivery of Council's material from Monday to Tuesday. The due business day for filing was Thursday 17th April. Manteit just lost 5 days preparation for the trial without agreement nor acceptance. Then Manteit lost another day due to contempt of court by Hedge. Then Manteit lost another 6 days due to contempt of court by Hedge when new Council material appeared at the trial on 28-4-25.

Index

Brisbane City Council ABN 72 002 765 795

City Administration & Governance
City Legal
Level 20 Brisbane Square, 266 George Street, Brisbane
GPO Box 1434 Brisbane Qld 4001
T 07 3178 7766 F 07 3334 0058
www.brisbane.qld.gov.au

Dedicated to a better Brisbane

Our reference: OP333147

23 April 2025

Mr D Manteit
Delivered via email: davidmanteit@hotmail.com

Dear Mr Manteit,

Brisbane City Council -ats- David Manteit
Planning & Environment Application No. 2916 of 2024

1. We refer to your letter to Council dated 16 April 2025 (**Letter**) attached to an email sent at 10:02am.

2. We do not agree with the assertion in your Letter that:

   "*His Honour has provided verbal advice to Ms Hedge on 12/4/25 in my presence that the CCC letter will be dealt with at some stage. If this is not your understanding please advise.*"

3. We advise that we did not understand his Honour Judge Williamson KC to say that your complaints made to the Crime and Corruption Commission (CCC) would be dealt with in this proceeding.

4. In fact, the Respondent's position is that the conduct of any Council Officer is irrelevant to this proceeding.

Yours faithfully,

Sarah McCabe
Senior Legal Counsel | City Legal
CITY ADMINISTRATION AND GOVERNANCE

Index

14-4-25. His Honour extends the date for the delivery of Council's material to the 22nd, without offer to or acceptance by Manteit.

Judge Williamson KC

Right. So can at least, sorry, I'll hear from you. You can say whatever you wish in a moment, say for any submission about scandalous material. But in terms of a draft order, if you don't already have one, can I have one that extends the date for the delivery of council's material to the 22nd?

Susan Hedge

Yes. Okay.

Hedge is 100% aware that the date for delivery is put back by five business days, and no more.

Hedge and Council's action of criminal contempt are intentional and therefore Contumacious and therefore criminal.

Index

Outlook

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

SENSITIVE

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

The CCC has considered the information you have provided and, after applying the principles in ss 34 and 35 of the CC Act, determined the complaint is appropriate to refer to the council.

Before we take any further action the CCC is seeking your explicit consent to refer your complaint to the council, including the information all the information that you have provided the CCC.

Please advise by **close of business on 1 October 2025** whether you consent to your complaint being referred to council. If you do not consent, or we do not hear from you within the required timeframe, the CCC may consider taking no further action on the matter.

Further information
To help you understand the role and scope of the CCC, I have included some information that I hope you find useful:

- some information from our website that explains what matters the CCC deals with; and
- information about why the CCC refers matters to another agency
- our Charter of Service, that tells you how we deal with complaints and what you can do if you are unhappy with our decision.

Yours sincerely,

Index

10. Dr Freeman and Cr Schrinner are responsible for all Brisbane City Council employee behaviour and corrupt conduct.

11. The CCC alleges that Council employees have committed corrupt conduct, based on the material provided to them by Manteit.

12. The CCC has studied all the information provided by Manteit to them.

Manteit also provided to the CCC a pdf of all the court documents filed up to 6-5-25.

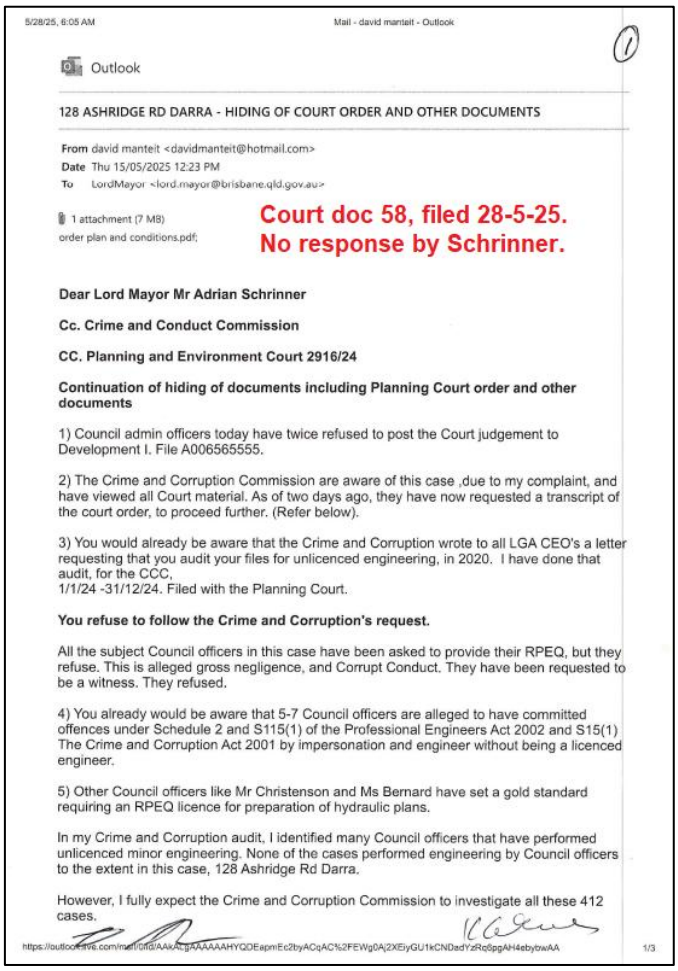
13. Dr Freeman and Cr Schrinner are responsible for all the unlicenced Council employees' conduct as discovered in the RTI report.

14. Cr Schrinner and Dr Freeman had the chance to stop the unlicenced council employee corruption at the draft Upstream Drainage and Onsite Drainage plan stage. Dr Freeman was told in 2020 by the CCC to have procedures in place to audit for Council employee unlicenced engineering.

15. Dr Freeman or her predecessor has not complied with CCC requirements

- The Upstream Drainage and Onsite Drainage plans are proven to be prepared by unlicenced council employees, as shown in the RTI document filed 27-1-25.

- The Upstream Drainage and Onsite Drainage plans show intentionally falsified lot numbers
  as shown in the RTI document filed 27-1-25.
- The RTI plans incite that the owner illegally enters 3 neighbouring properties and constructing pipes, thereby attracting prison sentences to him.



5/28/25, 6:05 AM Mail - david manteit - Outlook

Outlook

128 ASHRIDGE RD DARRA - HIDING OF COURT ORDER AND OTHER DOCUMENTS

From david manteit <davidmanteit@hotmail.com>
Date Thu 15/05/2025 12:23 PM
To LordMayor <lord.mayor@brisbane.qld.gov.au>

1 attachment (7 MB)
order plan and conditions.pdf;

Court doc 58, filed 28-5-25.
No response by Schrinner.

Dear Lord Mayor Mr Adrian Schrinner

Cc. Crime and Conduct Commission

CC. Planning and Environment Court 2916/24

Continuation of hiding of documents including Planning Court order and other documents

1) Council admin officers today have twice refused to post the Court judgement to Development I. File A006565555.

2) The Crime and Corruption Commission are aware of this case ,due to my complaint, and have viewed all Court material. As of two days ago, they have now requested a transcript of the court order, to proceed further. (Refer below).

3) You would already be aware that the Crime and Corruption wrote to all LGA CEO's a letter requesting that you audit your files for unlicenced engineering, in 2020. I have done that audit, for the CCC,
1/1/24 -31/12/24. Filed with the Planning Court.

You refuse to follow the Crime and Corruption's request.

All the subject Council officers in this case have been asked to provide their RPEQ, but they refuse. This is alleged gross negligence, and Corrupt Conduct. They have been requested to be a witness. They refused.

4) You already would be aware that 5-7 Council officers are alleged to have committed offences under Schedule 2 and S115(1) of the Professional Engineers Act 2002 and S15(1) The Crime and Corruption Act 2001 by impersonation and engineer without being a licenced engineer.

5) Other Council officers like Mr Christenson and Ms Bernard have set a gold standard requiring an RPEQ licence for preparation of hydraulic plans.

In my Crime and Corruption audit, I identified many Council officers that have performed unlicenced minor engineering. None of the cases performed engineering by Council officers to the extent in this case, 128 Ashridge Rd Darra.

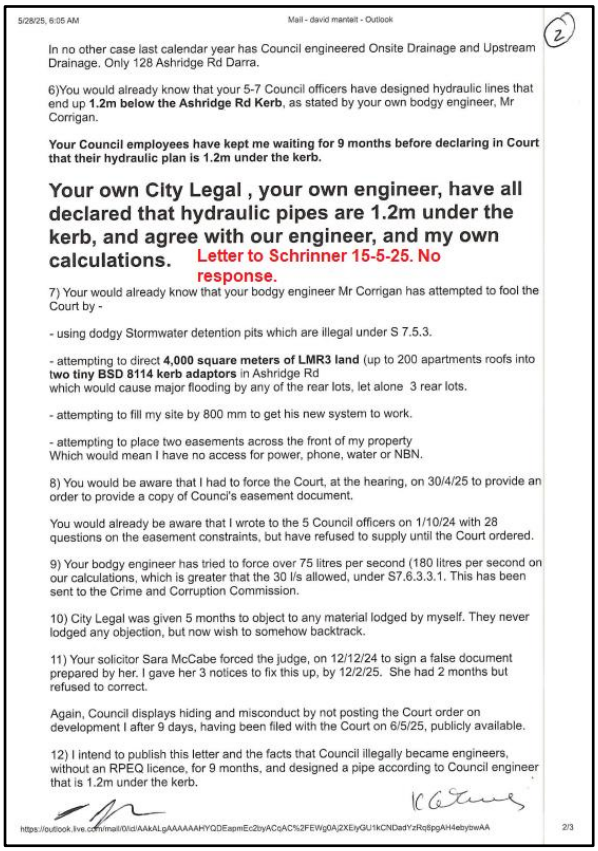
However, I fully expect the Crime and Corruption Commission to investigate all these 412 cases.

https://outlook.live.com/mail/0/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0Aj2XEiyGU1kCNDadYzRq6pgAH4ebybwAA 1/3

16. Dr Freeman and Cr Schrinner knew that unlicenced Council employees had performed unlicenced engineering but failed to inform the Court.

17. Dr Freeman or her predecessor was advised by the CCC in 2020 to audit and control unlicenced employees but she did not. That is one reason why an application to join Dr Freeman has been made in this Application in Pending Proceeding.

Index



5/28/25, 6:05 AM Mail - david manteit - Outlook

(2)

In no other case last calendar year has Council engineered Onsite Drainage and Upstream Drainage. Only 128 Ashridge Rd Darra.

6)You would already know that your 5-7 Council officers have designed hydraulic lines that end up **1.2m below the Ashridge Rd Kerb**, as stated by your own bodgy engineer, Mr Corrigan.

Your Council employees have kept me waiting for 9 months before declaring in Court that their hydraulic plan is 1.2m under the kerb.

Your own City Legal , your own engineer, have all declared that hydraulic pipes are 1.2m under the kerb, and agree with our engineer, and my own calculations. Letter to Schrinner 15-5-25. No response.

7) Your would already know that your bodgy engineer Mr Corrigan has attempted to fool the Court by -

- using dodgy Stormwater detention pits which are illegal under S 7.5.3.

- attempting to direct **4,000 square meters of LMR3 land** (up to 200 apartments roofs into **two tiny BSD 8114 kerb adaptors** in Ashridge Rd
which would cause major flooding by any of the rear lots, let alone 3 rear lots.

- attempting to fill my site by 800 mm to get his new system to work.

- attempting to place two easements across the front of my property
Which would mean I have no access for power, phone, water or NBN.

8) You would be aware that I had to force the Court, at the hearing, on 30/4/25 to provide an order to provide a copy of Counci's easement document.

You would already be aware that I wrote to the 5 Council officers on 1/10/24 with 28 questions on the easement constraints, but have refused to supply until the Court ordered.

9) Your bodgy engineer has tried to force over 75 litres per second (180 litres per second on our calculations, which is greater that the 30 l/s allowed, under S7.6.3.3.1. This has been sent to the Crime and Corruption Commission.

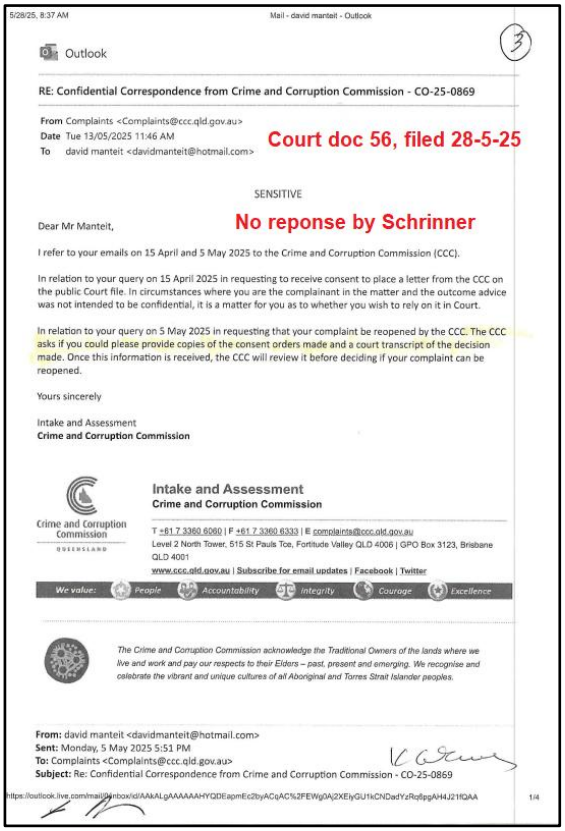
10) City Legal was given 5 months to object to any material lodged by myself. They never lodged any objection, but now wish to somehow backtrack.

11) Your solicitor Sara McCabe forced the judge, on 12/12/24 to sign a false document prepared by her. I gave her 3 notices to fix this up, by 12/2/25. She had 2 months but refused to correct.

Again, Council displays hiding and misconduct by not posting the Court order on development I after 9 days, having been filed with the Court on 6/5/25, publicly available.

12) I intend to publish this letter and the facts that Council illegally became engineers, without an RPEQ licence, for 9 months, and designed a pipe according to Council engineer that is 1.2m under the kerb.

https://outlook.live.com/mail/0/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0A2XEIyGU1kCNDadYzRq8pgAH4ebybwAA 2/3



5/28/25, 8:37 AM Mail - david manteit - Outlook

(3)

Outlook

RE: Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Tue 13/05/2025 11:46 AM
To david manteit <davidmanteit@hotmail.com>

Court doc 56, filed 28-5-25

SENSITIVE

Dear Mr Manteit,

No reponse by Schrinner

I refer to your emails on 15 April and 5 May 2025 to the Crime and Corruption Commission (CCC).

In relation to your query on 15 April 2025 in requesting to receive consent to place a letter from the CCC on the public Court file. In circumstances where you are the complainant in the matter and the outcome advice was not intended to be confidential, it is a matter for you as to whether you wish to rely on it in Court.

In relation to your query on 5 May 2025 in requesting that your complaint be reopened by the CCC. The CCC asks if you could please provide copies of the consent orders made and a court transcript of the decision made. Once this information is received, the CCC will review it before deciding if your complaint can be reopened.

Yours sincerely

Intake and Assessment
Crime and Corruption Commission

Crime and Corruption Commission QUEENSLAND

Intake and Assessment
Crime and Corruption Commission

T +61 7 3360 6060 | F +61 7 3360 6333 | E complaints@ccc.qld.gov.au
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006 | GPO Box 3123, Brisbane QLD 4001
www.ccc.qld.gov.au | Subscribe for email updates | Facebook | Twitter

We value: People Accountability Integrity Courage Excellence

The Crime and Corruption Commission acknowledge the Traditional Owners of the lands where we live and work and pay our respects to their Elders – past, present and emerging. We recognise and celebrate the vibrant and unique cultures of all Aboriginal and Torres Strait Islander peoples.

From: david manteit <davidmanteit@hotmail.com>
Sent: Monday, 5 May 2025 5:51 PM
To: Complaints <Complaints@ccc.qld.gov.au>
Subject: Re: Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

https://outlook.live.com/mail/0/inbox/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0A2XEIyGU1kCNDadYzRq8pgAH4J21fQAA 1/4

Conclusions

18. The evidence is clear, that the Schrinner Council employees who are employed by Schrinner Council, not only had one chance to do flood calculations on the Upstream Drainage flooded pipes, **they had two chances, both in the RTI documents and the DA approval.**

13 employees * 2 = 26 chances that the Council employees could have double checked their Council employee engineered and authored source documents.

19. Cr Schrinner and Dr Freeman have failed to control and audit their unlicenced employee engineering.

20. The Crime and Corruption Commission states that it is Council's responsibility to control employee behaviour and corruption. Dr Freeman and Cr Schrinner did not.

Index

11. Brisbane City Council – Respondent

Contempt of Court

1. Brisbane City Council is the original respondent and a current respondent and contemnor in this application.

2. It is stated here that wherever the phrase “the Respondents” is mentioned, that will always include Brisbane City Council as a contemnor.

3. It is stated by the Appellant (Manteit) here that any of the Contempt of Court allegations made by Manteit (Appellant) against the other Respondents are taken to be alleged by Brisbane City Council, since they had control over them to perform their actions of contempt or their actions of contempt by an act of omission.

4. Wherever the phrase “Schrinner Council” is mentioned, that is taken to mean Brisbane City Council. Cr Schrinner prefers that phrase.

Index

12. Susan Hedge – Respondent

Alleged Contempt of Court

1. It is Contempt of Court by Susan Hedge, by an act of omission, for 7 months, to withhold information of Council engineering information of Council authored engineered source documents to Manteit and the Court that were relevant to Manteit's allegations, which were alleged by Manteit since letter to Council employees 1/10/24 and 13 other letters 13 letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.

Background of this section

1. There was specific alleged criminal contempts of court by Susan Hedge by her oral statements to His Honour Judge Williamson KC in the courtroom on -

- 12-12-24 Hearing
- 12-2-25 Hearing
- 14-4-25 Hearing
- 24-4-25 Hearing
- 28-30/4-25 Trial

The Planning Court, in this application, should consider whether the alleged criminal contempts of court by Susan Hedge have any of these elements -

- Numerous statements to the Court by Susan Hedge oral statements to His Honour Judge Williamson KC, in Court, especially on 24-4-25, when the statement by Susan Hedge is found out to be false, at another time, by her own words, eg 10 hearing minutes later, into the trial, on 28-4-25

  Susan Hedge is caught out by S226 of the Planning Act on numerous statements.

  (1) A person must not, for this act, give an official information that the person knows is false or misleading in a material particular. Penalty 4,500 penalty units.

Queensland Consolidated Acts

[Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Previous] [Next] [Download] [Help]

PLANNING ACT 2016 - SECT 226

False or misleading information

226 False or misleading information

(1) A person must not, for this Act, give an official information that the person knows is false or misleading in a material particular.

Penalty—

Maximum penalty—4,500 penalty units.

(2) *Subsection (1)* does not apply if the person, when giving the information to the official—

(a) informs the official, to the best of the person's ability, how the information is false or misleading; and

(b) if the person has, or can reasonably get, the correct information—gives the correct information.

(3) In this section—

"official" means—

(a) an assessment manager; or

Index

- Intentionally deceiving the court by either arranged/performed by herself, or colluding with the other Respondents, to ensure all arguments on significant issues unfavorable to Council and the corrupt Council employees were gone at the start of the trial, and not before the trial.

- The systemic acts by Susan Hedge and the other Respondents is alleged to be intentional interference with the administration of justice.

  The contempt of court rule was developed to ensure that:

  (a) justice is appropriately and efficiently administered without disruption;
  (b) court proceeding proceed fairly without external influence; and
  (c) the authority, confidence and respect of the court is not undermined.

- Lies by Susan Hedge that are evidenced by another way, such as Council filing in court new material for the trial, in as little as one hour later.

- An act of Omission to the Court, whilst at the same time having full knowledge of the circumstances of the case as far back as 1/10/24 (letters as filed) and the evidence that Council had withheld engineering information pertaining to Council engineered source documents, to Manteit, Such as but not limited to the act of omission to the court that the Council employee Upstream Drainage plans flood by 1.2m, on all previous hearings.

- An act of Omission to the Court, whilst knowingly having the reduced or required mental ability to understand simple matters required by being a Planning Court barrister.

- Pure intent to deceive the Court by accepting all Corrigan's evidence of which promotes -

  30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

  Susan Hedge

  Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

  - 4 flooded plans, 150 intentional errors, of which many are fraudulent,
  - the flooding of Darra residents and the loss of life.

  In this case, an example such raising a house pad in the middle of the lot but no at both ends in order to fix Corrigan's flooded plans.

- Withholding of engineering information by Susan Hedge, requested by Manteit as required under UPCR rules reg 221 and common law.

- By Susan Hedge providing legal advice to Sara McCabe, Dr Freeman, Cr Schrinner and Schrinner Council.

- A failure by Susan Hedge of her duties to the court, to be independent, as a Court officer.

- The supporting by her of all Corrigan's evidence which includes incitement of breaking of Council laws that could cause loss of life

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- A failure by Susan Hedge of her duties as a barrister to the Bar Association.

Index

- Intentional thwarting of Manteit case by dishonest means.

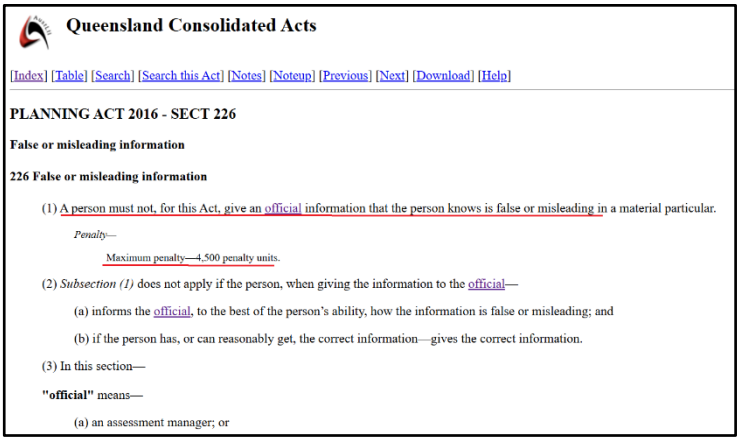
- Forcing of witnesses to change their witness statements in the trial, without Manteit having had any prior knowledge of that change, and being a significant issue in the case.

One should refer to the various sections in this Amended application where Susan Hedge is alleged to have committed criminal contempt by her oral acts in Court.

The full details of the alleged criminal comtempts of court are as described in these sections.

2. There are some contempts of court that have the hallmark,of the admittance by Susan Hedge

3. It is Contempt of Court by Susan Hedge, by an act of omission, to withhold information of Council engineering information of Council authored engineered source documents to Manteit and the Court that were relevant to Manteit's allegations, which were alleged by Manteit since letter to Council employees 1/10/24 and 13 other letters 13 letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.



Queensland Consolidated Acts

[Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Previous] [Next] [Download] [Help]

PLANNING ACT 2016 - SECT 226

False or misleading information

226 False or misleading information

(1) A person must not, for this Act, give an official information that the person knows is false or misleading in a material particular.

Penalty—

Maximum penalty—4,500 penalty units.

(2) *Subsection (1)* does not apply if the person, when giving the information to the official—

(a) informs the official, to the best of the person's ability, how the information is false or misleading; and

(b) if the person has, or can reasonably get, the correct information—gives the correct information.

(3) In this section—

"official" means—

(a) an assessment manager; or

4. Table of letters sent by Manteit prior to the Notice of Appeal, requesting engineering information of -

- Council and Council employee engineered source documents.
- Manteit statements, calculations and warnings to Council of their flooded pipes, as of 1/10/24
- Manteit request for copy of, wording of and engineering of the Council prepared easement document as drawn in red on the plan and noted as 900mm wide, and required by Condition 7

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr, Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal, Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response

Index

14/10/24	74	Letter to Orr, Piper, Ruhland, Wake, Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

A lawyer's duty to the court and justice system

5. A lawyer's most important duty is to the court and the administration of justice. This means that if acting in your best interests conflicts with their duty to the court, your lawyer must put the court before you.

Duty to the Court

25. A barrister has an overriding duty to the Court to act with independence in the interests of the administration of justice.

26. A barrister must not deceive or knowingly or recklessly mislead the Court.

27. A barrister must take all necessary steps to correct any misleading statement made by the barrister to a court as soon as possible after the barrister becomes aware that the statement was misleading.

28. A barrister must alert the opponent and if necessary inform the court if any express concession made in the course of a trial in civil proceedings by the opponent about evidence, case-law or legislation is to the knowledge of the barrister contrary to the true position and is believed by the barrister to have been made by mistake.

26. "A barrister must not deceive or knowingly or recklessly mislead the Court."

Index

6. It is my view that Susan Hedge has deceived the court many times.

The following mentionings of contempt are covered in other sections of this application, and the applicable contempts of Court by Susan Hedge are found in those sections, rather than this section.

7. Susan Hedge has failed to inform the Court in **3 hearings that the Upstream Drainage pipes flooded 1.2m under Ashridge rd kerb**. Susan Hedge has mislead the court by her acts of Omission.

8. Susan Hedge has also committed contempt of court by Susan Hedge to be in the face of the Court at those 3 hearings by acts of omission.

9. This was not known at the time, by Manteit nor His Honour. It was subsequently known on 28-4-25, when Susan Hedge tabled a list of conditions.

10. Susan Hedge misled the Court on 24-4-25 around 5-10 hearing minutes before the trial, by stating to the Court that Council's position for the trial was 31-1-25.

11. Susan Hedge also stated that the RPEQ must submit as constructed plans after construction of pipes, She even quoted Ryan report to double down on this Council position.

12. Around 5 minutes into the trial, Susan Hedge stated that **"this is a significant matter in this case"** and Councils position was that the engineers must submit plans prior to construction.

13. Then Susan Hedge forced witnesses to change their witness statements during the trial, in order to use them as scapegoats.

"27 . A barrister must take all necessary steps to correct any misleading statement made by the barrister to a court as soon as possible"

14. The act by Susan Hedge of waiting until 5 hearing minutes before the trial at the pretrial hearing to tell a His Honour Judge Williamson KC that the Council employee DA approved Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd kerb, but Susan Hedge would have known that fact since around 21/10/24 when she was appointed as Council's Counsel.

15. Letters are filed on 4-12-24 and 14-1-26 demonstrating that Manteit wrote to Council employees, City Legal without response. Susan Hedge would have been aware of that correspondence by Manteit, starting at that time.

16. It is **dishonest of Susan Hedge to wait 75 minutes** in the same hearing, on 24-4-25 to inform His Honour that the Upstream Drainage pipes were flooded, since the Upstream Drainage plans were a source document authored by Council employees, not Manteit.

17. Susan Hedge was instructed by Council around 22/10/25, as she was Counsel for the previous S75 Court case.

18. It is dishonest of Susan Hedge to lie to a judge's face, stating that Manteit had been supplied all material in exactly the format he needs"

Index

19. Is is dishonest to tell Judge Williamson KC, five minutes before the trial, that **Council's position for the trial was 31/1/25,** when a totally different position was filed brazenly by Sara McCabe or someone instructed by Schrinner Council or Dr Freeman, in as littles as one hour later.

20. The contempts of Court by Susan Hedge are of the highest order, by Susan Hedge

21. The other Respondents are complicit in Susan Hedge contempts of Court as they have all had responsibilities in Hedge's actions.

Note - The contempts of Court listed against Susan Hedge above may apply to Susan Hedge specifically or alternatively may also be mentioned in other sections. In the interests of any further overlapping of accusations, the reader should consider the extent of Hedge's involvement with the other Respondents as mentioned in this application and what Susan Hedge has contributed to contempt

Index

13. Sara McCabe - Respondent

Note - The contempts of Court listed against Sara Mccabe below may apply to Sara McCabe specifically or alternatively may also be mentioned in other sections. In the interests of any further overlapping of accusations, the reader should consider the extent of Sara McCabe's association and involvement with the other Respondents as mentioned in this application and what Sara McCabe has contributed to those contempts.

Contempt of Court

These are some examples only of the many contempts of court that Sara McCabe has committed.

1. It is a criminal contempt of Court by Sara McCabe to have forced Judge Williamson KC to into failing to have read Council's material for the trial until 5 hearing minutes before the trial.

2. It is a criminal contempt of Court by Sara McCabe, by an act of omission for 7 months, to withhold engineering information regarding Council engineered source documents, from Manteit and the Court after Manteit's 13 letters and 108 pages of relevant allegations and requests for engineering information, prior to the Notice of Appeal 19/11/24, required by -

- Manteit requests
- UPCR rules 211 and others
- Common Law
- RPEQ lawful standards, under Schedule 2 of the Professional Engineers Act, 2001
- S115 (1) and Schedule 2 of the Professional Engineers Act 2002,
- The Crime and Corruption Commission.

And Sara McCabe has intentionally thwarted Manteit's ability to prosecute his allegations and case, as tabled below.

Table of letters sent by Manteit requesting Council and Council employee engineering information in relation to Council engineered source documents, Manteit statements of Council flooding, Manteit request for easements.

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr, Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal, Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake, Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response

Index

24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

The letters required information in (a) to (h) as follows, but not limited to -

(a) **RPEQ Engineering detail** about the Council employee engineered and authored **RTI** illegally flooded Upstream Drainage red lines, surface levels and invert levels of pipes and pipes.

(b) **RPEQ Engineering detail** about the Council employee engineered and authored **RTI** illegally flooded Onsite Drainage red lines, surface levels and invert levels of pipes and pits.

(c) **RPEQ Engineering detail** about the Council employee engineered and authored DA approved Upstream Drainage red lines, surface levels and invert levels and invert levels of pipes and pits, Easement document.

(d) **RPEQ Engineering detail** about the Council employee engineered and authored DA approved Onsite Drainage red lines, kerb adaptor location.

(e) **RPEQ Engineering detail** about the Council employee engineered and authored **DA approved Fill Conditions** as per condition 12,17,18.

(f) **Timing of submitting of owner RPEQ engineering plans** as per condition 18.

(g) **Copy of easement** documentation and information pertaining to same. Refer Section 41 – Withholding of Easement.

(h) Details of what person was the Council RPEQ who engineered and authored the Upstream Drainage, Onsite Drainage and fill conditions.

3. It is a criminal contempt of Court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Susan Hedge", to have committed ed the same contempt as Susan Hedge, in each section of this Amended Application since Sara McCabe had -

- At all times, Sara McCabe had control over the instructions given to **Susan Hedge**, being given to Susan Hedge -
    - In the courtroom for hearings and
    - Prior to being in the Courtroom, for hearings, or in other places.

Index

4. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Brisbane City Council, Council, or Schrinner Council", to have committed the same contempt of court by "Brisbane City Council, Council, or Schrinner Council" to the extent that she had involvement with the other respondents but a duty to the court as an officer of the court which overrides the duty to her client.

5. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Dr Freeman", to have committed the same contempt of court by "Dr Freeman" to the extent that she had involvement with Dr Freeman but also a duty to the court as an officer of the court which overrides the duty to her client/Dr Freeman.

Law Society - "The duty to the court prevails to the extent of inconsistency with any other duty, including a solicitor's duties to the client or others: Giannarelli v Wraith (1988) 165 CLR 543, 555-6 (Mason CJ), 572 (Wilson J)."

6. It is a criminal contempt of court by Sara McCabe, wherever allegations of Contempt are mentioned in this application, where stated "Cr Schrinner", to have committed the same contempt of court by "Cr Schrinner" to the extent that she had involvement with Cr Schrinner but also a duty to the court as an officer of the court which overrides the duty to her client/Cr Schrinner

Law Society - "The duty to the court prevails to the extent of inconsistency with any other duty, including a solicitor's duties to the client or others: Giannarelli v Wraith (1988) 165 CLR 543, 555-6 (Mason CJ), 572 (Wilson J)."

7. It is a contempt of Court by Sara McCabe, wherever allegations of Contempt are mentioned in this application **"by all the Respondents"** to have committed the same contempt of court by any of the other Respondent, to the extent that she had involvement with the other respondent, but also had a duty to the court as an officer of the court which overrides the duty to the other Respondent.

Law Society - "The duty to the court prevails to the extent of inconsistency with any other duty, including a solicitor's duties to the client or others: Giannarelli v Wraith (1988) 165 CLR 543, 555-6 (Mason CJ), 572 (Wilson J)."

8. It is a criminal contempt of Court by Sara McCabe to withhold from Manteit, certain engineering information on Council employee engineered and authored source documents held by Council, such as the Upstream Drainage pipes being flooded 1.2m under the Ashridge Rd kerb, when Manteit requested information from Council from 1/10/24 and made flooding calculation statements to Council starting from 11/10/24, and Manteit stating that the pipes would flood 1.2m under the kerb.

Sara McCabe has not responded to these letters since they provided evidence that is unfavourable to her client. Sara McCabe has therefore failed her duty to the cour, as an officer to the court, and must be punished by prison sentence and/or ordered to be banned from any court as a solicitor for her actions

Law Society - *For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227. Solicitors therefore must inform the court of legal authorities that may be unfavourable to their client's case: Glebe Sugar Refining Co Ltd v Greenock Port and Harbours Trustees [1921] SC (HL) 72,74, cited in D'Orta-Ekenaike v Victoria Legal Aid (2005) 223 CLR 1,*

[112].

*The duty derives from the lawyer's special role as an **officer of the court:** Myers v Elman [1940] AC 282 316-19.*

A lawyer becomes an officer of the Supreme Court on admission to the legal profession: LPA s 38(1).

9. It is a criminal contempt of Court by Sara McCabe to mislead the court, by instructing Susan Hedge to lie to the Court, as stated in each of the the pertinent sections of this application, where applicable.

Law Society – "*For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227*

10. It is a criminal contempt of Court by Sara McCabe by withholding documents unfavourable to the client.

Law Society – "*For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227*

11. It is a criminal contempt of Court by Sara Sara McCabe to have both intentionally wilfully withheld relevant information to Manteit's case and detrimental to Council's case until the day of the trial including, but not limited to significant matters of this case -

- The Upstream Drainage pipes being flooded 1.2m under the Ashridge Rd kerb and >76 L/s pipe velocity at the kerb, causing nuisance flooding of 410,000 litres per hour, nuisance flooding and possible death to Darra residents.
- The Onsite Drainage pipes being flooded and placed 5.1m up from the low side of the kerb.
- Timing of submission of engineering drawings before construction of pipes.
- Copy of and detail of the **Council Easement document**, required by DA approval Condition 7 only supplied in the last 25 minutes of the trial, on 30/4/25 by direction of His Honour Judge Williamson KC at the request of Manteit.

12. It is a criminal contempt of Court by Sara McCabe to have given instructions to Susan Hedge of the forcing of witnesses Corrigan and Ryan, by Susan Hedge, to change their statements in Court.

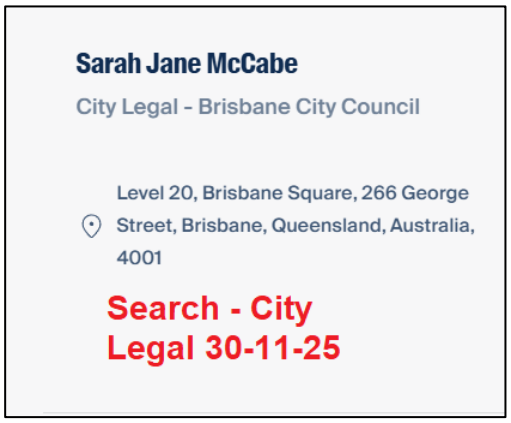
13. It is criminal contempt of Court by Sara McCabe, to allegedly disrupt the courts processes by her acts or acts of omissions.

14. It is contempt of Court by Sara McCabe, to have allegedly brought the Law Society into disrepute by her actions or acts of omissions.

Index

Note - The contempts of Court listed against Sara McCabe above may apply to Sara McCabe specifically or alternatively may also be mentioned in other sections. In the interests of any further overlapping of accusations, the reader should consider the extent of McCabe's involvement with the other Respondents as mentioned in this application and what Sara McCabe has contributed to contempt.

Background to this section



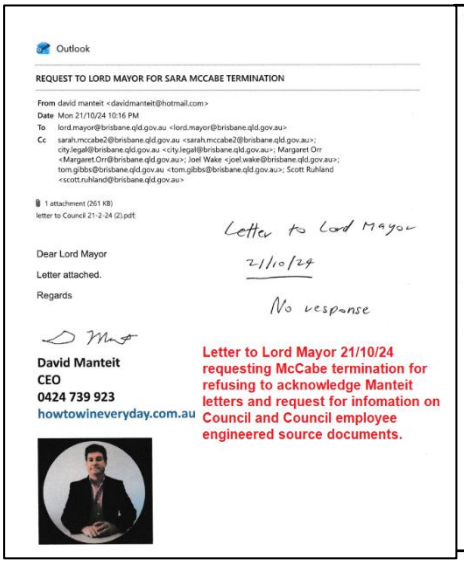
1. Sara McCabe has acted as the solicitor for City Legal – Brisbane City Council for the entire duration of 2916/24 and received instructions from Brisbane City Council (Schrinner Council), Dr Freeman and Cr Schrinner. It is unknown whether City Legal is a registered company. Should Her Honour order, "City Legal" shall be required to be joined as a Respondent, or required to give evidence, in the least, as may be the case.

2. Sara McCabe, as **solicitor, employed by City Legal, has provided legal advice**, prepared and drafted affidavits, on behalf of Brisbane City Council on all matters in this case, from around 14/10/24.

3. Sara McCabe is **named as a contemnor/Respondent** in this application.

4. Sara McCabe has contributed directly and indirectly and to the dishonest thwarting and prejudicing of Manteit's case and trial, from start to finish of the case 2916/24.

5. On 25-10-24 Manteit **served to the Lord Mayor a request for termination of Sara McCabe**, by letter and stat dec, for her refusing to respond to Manteit correspondence and requests for information on Schrinner Council and Council employee authored engineering documents.


Outlook

REQUEST TO LORD MAYOR FOR SARA MCCABE TERMINATION

From david manteit <davidmanteit@hotmail.com>
Date Mon 21/10/24 10:16 PM
To lord.mayor@brisbane.qld.gov.au <lord.mayor@brisbane.qld.gov.au>
Cc sarah.mccabe2@brisbane.qld.gov.au <sarah.mccabe2@brisbane.qld.gov.au>; city.legal@brisbane.qld.gov.au <city.legal@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>

1 attachment (261 KB)
letter to Council 21-2-24 (2).pdf

Letter to Lord Mayor 21/10/24

Dear Lord Mayor

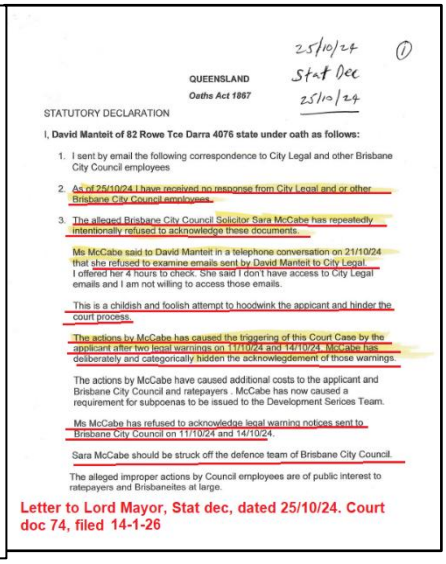
Letter attached.

Regards

No response

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

Letter to Lord Mayor 21/10/24 requesting McCabe termination for refusing to acknowledge Manteit letters and request for infomation on Council and Council employee engineered source documents.


25/10/24 ①

QUEENSLAND
Oaths Act 1867

Stat Dec
25/10/24

STATUTORY DECLARATION

I, David Manteit of 82 Rowe Tce Darra 4076 state under oath as follows:

1. I sent by email the following correspondence to City Legal and other Brisbane City Council employees
2. As of 25/10/24 I have received no response from City Legal and or other Brisbane City Council employees.
3. The alleged Brisbane City Council Solicitor Sara McCabe has repeatedly intentionally refused to acknowledge these documents.

Ms McCabe said to David Manteit in a telephone conversation on 21/10/24 that she refused to examine emails sent by David Manteit to City Legal. I offered her 4 hours to check. She said I don't have access to City Legal emails and I am not willing to access those emails.

This is a childish and foolish attempt to hoodwink the applicant and hinder the court process.

The actions by McCabe has caused the triggering of this Court Case by the applicant after two legal warnings on 11/10/24 and 14/10/24. McCabe has deliberately and categorically hidden the acknowledgement of those warnings.

The actions by McCabe have caused additional costs to the applicant and Brisbane City Council and ratepayers . McCabe has now caused a requirement for subpoenas to be issued to the Development Serices Team.

Ms McCabe has refused to acknowledge legal warning notices sent to Brisbane City Council on 11/10/24 and 14/10/24.

Sara McCabe should be struck off the defence team of Brisbane City Council.

The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

6. Sara McCabe has never once responded to any request by Manteit for information on Schrinner Council and Council employee authored engineered documents, including letters sent by Manteit to Council employees commencing from 1/10/24, 11/10/24. The full list of letters sent by Manteit to Lord Mayor, Council employees, Sara McCabe and City Legal, prior to the Notice of Appeal are listed in a table below.

7. Had Sara McCabe has never responded to these engineering information requests from Manteit, in the whole case 2916/24.

This case may never have been commenced by Manteit (appellant) if Sara Sara McCabe had not been so dishonest to Manteit, and responded to those letters sent to her.

Index

Letter and stat dec to Lord Mayor on 25-10-25

"The actions by Sara McCabe has caused the triggering of this court case by the applicant after two legal warnings on 11/10/24 and 14/10/24. Sara McCabe has deliberately and categorically hidden the acknowledgement of those warnings"

8. Sara McCabe has at all times given direct instructions to Susan Hedge, another contemnor/respondent in this amended application in Pending Proceeding, both in court and via other means such as emails and telephone conversations.

9. Sara McCabe has wilfully refused to disclose relevant information on required by -

Manteit requests
UPCR rules 211 and others.
RPEQ lawful standards, under Schedule 2 of the Professional Engineers Act, 2001
S115 of the Professional Engineers Act 20112 to the proceeding,
Common Law
The Crime and Corruption Commission.

(a) Sara McCabe has refused to disclose Engineering detail about the Council employee authored source documents Upstream Drainage red lines, surface levels and invert levels and invert levels of pipes and pits until filing of the Corrigan report, on 23/4/25. Sara McCabe forced His Honour Judge Williamson KC

(b) Council was the author of both the Right to Information and the flooded DA approved Upstream Drainage and Onsite DA red lines describing 81 metres of flooded pipes and pits, and 2 kerb adaptors.

(c) Council was the author Conditions 17 and 18 which compel the applicant to comply with the plan as shown on SKO1.

In that report Corrigan stated that he agreed with the levels of the pipes and pits.

Extracts of where Sara McCabe had refused to supply to Manteit of Council and Council employee source document engineering of (a), (b), and (c) above.

10. Manteit called for the termination of Sara McCabe by Lord Mayor Cr Schrinner, due to her refusal to respond to Manteit emails.

Index

11. Sara McCabe has mislead the Court by withholding documents unfavourable to the court.

For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227
Qld Law Society Fundamental duties of solicitors

*1 "The **duty to the court is well-established at common law,** and has four mutually supporting categories:*

- *a **duty of disclosure to the court;***
- *a **duty not to abuse the court's process;***
- *a **duty not to corrupt the administration of justice;** and*
- *a **duty to conduct cases efficiently and expeditiously.**[1]*

It has been said:

*"The first three mentioned general duties are derived from the **public interest** in ensuring that the administration of justice is not subverted or distorted by dishonest, obstructive, or inefficient practices.*

The essence of these duties is the requirement for lawyers (within the context of the adversarial system) to act professionally, with scrupulous fairness and integrity and to aid the court in promoting the course of justice. By their nature, these requirements are immutable, but the content of the particular duties that flow therefrom may change over time as litigation practices and social values change".[2]

The duty to the court prevails to the extent of inconsistency with any other duty, including a solicitor's duties to the client or others: Giannarelli v Wraith (1988) 165 CLR 543, 555-6 (Mason CJ), 572 (Wilson J).

As Lord Reid put it in Rondel v Worsley [1969] 1 AC 191, 227 ('Rondel'):
"Every counsel has a duty to his client fearlessly to raise every issue, advance every argument, and ask every question, however distasteful, which he thinks will help his client's case.

But, as an officer of the court concerned in the administration of justice, he has an overriding duty to the court, to the standards of his profession, and to the public, which may and often does lead to a conflict with his client's wishes or with what the client thinks are his personal interests."

The duty involves 'candour, honesty and fairness': Council of the Queensland Law Society Inc v Wright [2001] QCA, 58 [67].

For example, a solicitor must not mislead the court, make unfounded aspersions against other parties or witnesses or withhold authority or documents unfavourable to the client: Rondel at 227. Solicitors therefore must inform the court of legal authorities that may be unfavourable to their client's case: Glebe Sugar Refining Co Ltd v Greenock Port and Harbours Trustees [1921] SC (HL) 72,74, cited in D'Orta-Ekenaike v Victoria Legal Aid (2005) 223 CLR 1, [112].

*The duty derives from the lawyer's special role as an **officer of the court:** Myers v Elman [1940] AC 282 316-19. A lawyer becomes an officer of the Supreme Court on admission to the legal profession: LPA s 38(1).*

Index

"4.1.3 Competence

Solicitors must deliver legal services competently, diligently and promptly; a professional standard that mirrors the solicitor's civil obligations in contract and tort.

Once a solicitor-client relationship is established, a solicitor's civil law duty is to exercise reasonable care and skill in the provision of professional advice.

The standard of care and skill is that which may be reasonably expected of solicitors: Heydon v NRMA Ltd (2000) 51 NSWLR 1, 53 [1 46]. A solicitor is required to act 'in a way that (at the time the service was provided) was widely accepted by peer professional opinion by a significant number of respected practitioners in the field as competent professional practice'; s 22 Civil Liability Act 2003 (Qld).[4] See also s 41 Civil Liability Act 1936 (SA). Where a solicitor professes some special skill, competence or expertise then the standard of care 'is that of the ordinary skilled person exercising and professing to have that special skill': Rogers v Whitaker (1992) 175 CLR 479, 487.

Solicitors may also owe a duty of care to non-clients in certain circumstances: see the discussion in Carey v Freehills [2013] FCA 954, [310] – [317].

As to the professional duties, s 418 of the LPA provides that ***unsatisfactory professional conduct*** *"includes conduct of an Australian legal practitioner happening in connection with the practice of law that falls short of the standard of competence and diligence that a member of the public is entitled to expect of a reasonably competent Australian legal practitioner."*

Section 419 provides that "if the conduct involves a substantial or consistent failure to reach or keep a reasonable standard of competence and diligence", it may constitute professional misconduct. Under s 420, a breach of the Rules is "conduct capable of constituting unsatisfactory professional conduct or professional misconduct."

In Legal Services Commissioner v McClelland [2006] LPT 13, 27, a solicitor who had failed in 16 transactions to provide a Lawyer's Certificate to a buyer as required by s 365B of the Property Agents and Motor Dealers Act 2000 (Qld) was found guilty of unsatisfactory professional conduct.

In considering whether such conduct constituted a 'failure to maintain reasonable standards of competence or diligence' pursuant to s 3B(1)(c) of the Queensland Law Society Act 1952 (the predecessor of s 418 of the LPA) de Jersey CJ commented :
"A practitioner must have the wit carefully to read and comprehend a provision like this, designed for the protection of clients in an area in which he substantially practices. The 'failure' referred to in s 3B(1)(c) would not embrace all cases of error but this is substantial enough to fall within its ambit."

12. 21/10/24 - Letter to Lord Mayor – Request for Termination of Sara McCabe for refusing to acknowledge Manteit letters and requests for information on Council and Council employee engineered source documents.

Index

13. 25/10/24? - Letter was sent to Lord Mayor 25/10/24 by Manteit describing how Sara McCabe. had triggered the court case after refusing to acknowledge 2 legal warnings by Manteit.

14. Sara McCabe never responded to any of the above letters sent by Manteit.

Outlook

REQUEST TO LORD MAYOR FOR SARA MCCABE TERMINATION

From david manteit <davidmanteit@hotmail.com>
Date Mon 21/10/24 10:16 PM
To lord.mayor@brisbane.qld.gov.au <lord.mayor@brisbane.qld.gov.au>
Cc sarah.mccabe2@brisbane.qld.gov.au <sarah.mccabe2@brisbane.qld.gov.au>; city.legal@brisbane.qld.gov.au <city.legal@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>

1 attachment (261 KB)
letter to Council 21-2-24 (2).pdf;

Letter to Lord Mayor
21/10/24

Dear Lord Mayor

Letter attached.

Regards

No response

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

Letter to Lord Mayor 21/10/24 requesting McCabe termination for refusing to acknowledge Manteit letters and request for infomation on Council and Council employee engineered source documents.

Index

David Manteit
82 Rowe Tce
Darra 4076

21-10-24

21/10/24 Letter to Lord Mayor fo request for termination of McCabe by Manteit for refusing to acknowlege Manteit correspondence and requests for information on Council and Council employee authored source documents.

The Lord Mayor
Brisbane City Council
266 George St
Brisbane 4000

By email Lord.Mayor@brisbane.qld.gov.au

cc. The Registrar Planning and Environment Court
Sara McCabe – City Legal (allegedly)
City Legal
Margaret Orr
Joel Wake
Lucy Ting
Scott Ruhland
Zarndra Piper
Tom Gibbs

Dear Lord Mayor

Request for Sara McCabe of City Legal to be terminated as representative of City Legal in the Case David Manteit V Brisbane City Council Planning and Environment Court 2916/24.

I served an action against seeking orders in the Planning and Environment Court last Friday, 21-10-24.

Ms McCabe position is untenable due to her dishonesty.

I spoke to Ms McCabe today on the telephone.

I asked her if she had sighted all the emails I sent City Legal re this case.

Ms McCabe of City Legal replied – "I don't have any emails except the papers you served on the Council last Friday. Ms McCabe of City Legal then stated " I do not have access to City Legal emails".

I said, as a metter of courtesy, "Would you like four hours to investigate these emails,then get back to me ? These emails gave warning to City Legal that Court action will proceed forthwith if City Legal did not respond. In addition, there would be cost orders sought"

Ms Cabe said "No I will not investigate City Legal emails. I do not have access to City Legal emails. ".

She then hung up. This is straight out dishonesty and unprofessional behavour of a Brisbane City Council employee and of any practising solicitor.

How can your City Legal team staff member in charge of a case pretend that I did not give notice of Court Action and cost orders ?

32

Index

Six other members of your staff received those emails as cc. Their names are above. They are a party to this action.

By writing this letter I also request that Sara McCabe be removed from the case due to dishonesty.

Since your City Legal email does not respond to emails, I have no option but to write to The Lord Mayor and the registrar of the Planning and Environemtn Court to put it bluntly – get rid of her.

Otherwise the ratepayers will undoubtedly pay for Sara McCabe dishonest actions and cause delay and misunderstandings in the future by all parties. This could be some hundreds of thousands due to Ms McCabe actions.

I will lodge this request of termination to the Planning and Environment Court in the next few days, for them to do same.

I have sent McCabe a copy of the other two emails today.

By the way, I have sent Paul of City Legal two emails. No response. Are all your City Legal team ghosts?.

I await your advices.

Regards

DAVID MANTEIT
0424 739 923

Letter to Lord Mayor 21/10/24 requesting termination of McCabe due to refusing to respond to Manteit correspondence and requests for information regarding Council and Council employee engineered source documents such as flooded plans and easements. Court doc 74, filed 14-1-26.

128 ASHRIDGE RD DARRA FURTHER QUESTIONS DAVID MANTEIT

letter 21-10-24.pdf

david manteit
To: city.legal@brisbane.qld.gov.au
Mon 21/10/2024 12:50 AM
Cc: Margaret Orr; Joel Wake; tom.gibbs@brisbane.qld.gov.au; Zarndra Piper; Scott Ruhland; lucy.ting@brisbane.qld.gov.au

You forwarded this message on Mon 21/10/2024 4:06 PM

letter 21-10-24.pdf
408 KB

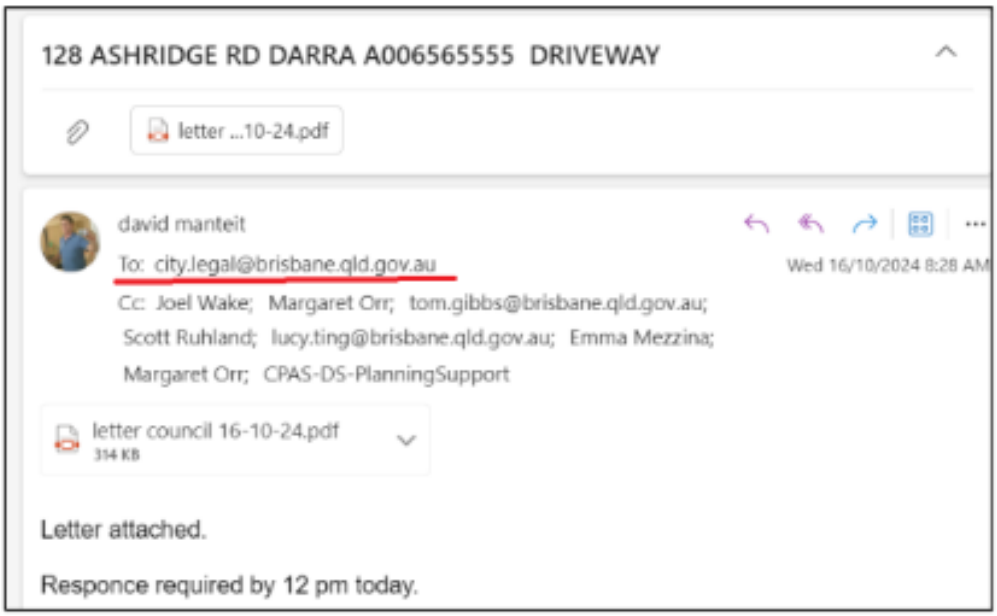
Letter attached.

Yours Faithfully

33

Index

Letter to Lord Mayor 21-10-24



128 ASHRIDGE RD DARRA A006565555 DRIVEWAY

letter ...10-24.pdf

david manteit

To: city.legal@brisbane.qld.gov.au

Wed 16/10/2024 8:28 AM

Cc: Joel Wake; Margaret Orr; tom.gibbs@brisbane.qld.gov.au; Scott Ruhland; lucy.ting@brisbane.qld.gov.au; Emma Mezzina; Margaret Orr; CPAS-DS-PlanningSupport

letter council 16-10-24.pdf
314 KB

Letter attached.

Responce required by 12 pm today.

10/21/24, 9:39 PM Mail - david manteit - Outlook

Outlook

Fw: QUESTONS ATTACHED INCLUDING STORMWATER DAVID MANTEIT 128 ASHRIDGE RD DARRA

From david manteit <davidmanteit@hotmail.com>
Date Fri 11/10/2024 4:26 PM
To city.legal@brisbane.qld.gov.au <city.legal@brisbane.qld.gov.au>

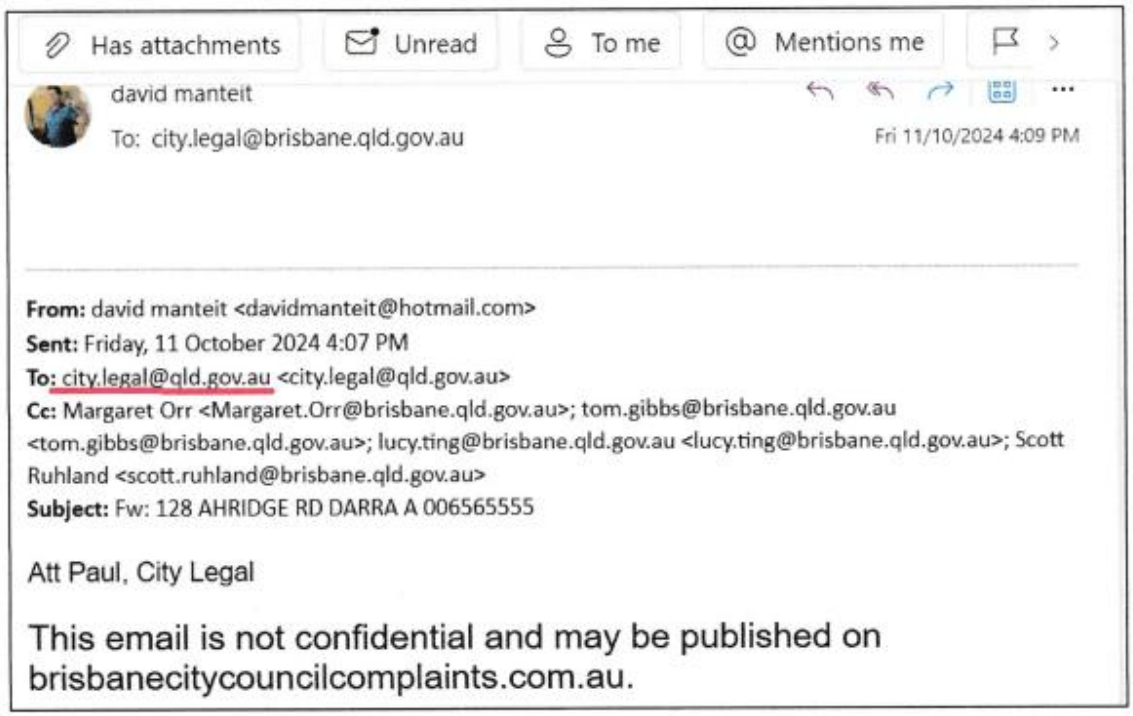
1 attachments (2 MB)
Letter 10-10-24.pdf;

Att Paul

FYI

Index

Letter to Lord Mayor 21/10/24 requesting termination of McCabe due to refusing to acknowledge Manteit correspondence and requests for information on Council and Council employee emgineered source documents, Court doc 74, filed 14-1-26.



Has attachments | Unread | To me | Mentions me

david manteit

To: city.legal@brisbane.qld.gov.au

Fri 11/10/2024 4:09 PM

From: david manteit <davidmanteit@hotmail.com>
Sent: Friday, 11 October 2024 4:07 PM
To: city.legal@qld.gov.au <city.legal@qld.gov.au>
Cc: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>
Subject: Fw: 128 AHRIDGE RD DARRA A 006565555

Att Paul, City Legal

This email is not confidential and may be published on brisbanecitycouncilcomplaints.com.au.

Index

Outlook

DRAINAGE PLAN AFFIDAVIT

From david manteit <davidmanteit@hotmail.com>

Date Fri 25/10/24 7:33 AM

To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; LordMayor <lord.mayor@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>; Emma Mezzina <emma.mezzina@brisbane.qld.gov.au>

1 attachment (839 KB)
letter 25-10-24.pdf;

Hi

Please see affidavit required from Margaret Orr na Jpe; Wake.

If this affidavit is not provided by 5pm today I reserve the right to subpoena these persons forthwith.

Please acknowlege this correspondence of this date.

I still have no acknowledgement of specific correspondnce. I require a list of received documents and their dates.

The Lord Mayor will continue to be provided my correspondence until this proper list of correspondence is provided to me, as every
other solicitor in Brisbane would,.

Yours Faithfully

Letter to Lord Mayor
25/10/24 Court doc 74,
filed 14-1-26

No response

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

56

Index

Letter below sent to Lord Mayor 25/10/24 describing the how Sara McCabe had triggered the court case after refusing to acknowledge 2 legal warnings by Manteit.

25/10/24 (1)

Stat Dec

25/10/24

QUEENSLAND

Oaths Act 1867

STATUTORY DECLARATION

I, **David Manteit of 82 Rowe Tce Darra 4076 state under oath as follows:**

1. I sent by email the following correspondence to City Legal and other Brisbane City Council employees

2. As of 25/10/24 I have received no response from City Legal and or other Brisbane City Council employees.

3. The alleged Brisbane City Council Solicitor Sara McCabe has repeatedly intentionally refused to acknowledge these documents.

Ms McCabe said to David Manteit in a telephone conversation on 21/10/24 that she refused to examine emails sent by David Manteit to City Legal. I offered her 4 hours to check. She said I don't have access to City Legal emails and I am not willing to access those emails.

This is a childish and foolish attempt to hoodwink the appicant and hinder the court process.

The actions by McCabe has caused the triggering of this Court Case by the applicant after two legal warnings on 11/10/24 and 14/10/24. McCabe has deliberately and categorically hidden the acknowlegdement of those warnings.

The actions by McCabe have caused additional costs to the applicant and Brisbane City Council and ratepayers . McCabe has now caused a requirement for subpoenas to be issued to the Development Serices Team.

Ms McCabe has refused to acknowledge legal warning notices sent to Brisbane City Council on 11/10/24 and 14/10/24.

Sara McCabe should be struck off the defence team of Brisbane City Council.

The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

Index

(2)

Page **2** of **30**

I am seeking responses to questions below as to some conditions of the approval, as per BCC advice attached with approval. I have not received responses to these questions as of Friday 11/10/24 I provide more information below and more questions,

It is also noted that there has been no response to my last letter re easement questions, on 1/10/24.

Please provide your answers to the following questions by Tuesday 12pm 14/10/24 or any action may be commenced forthwith requiring the proper responses before any decision notice by Council in relation to a S75 notice by the by applicant, or court order made from an appeal. Alternatively it will be ordered that certain clauses of the approval will be deleted and costs awarded to the applicant.

I wish to advise that any refusal to provide truthful and transparent responses could be cause legal and other costs to the applicant, as awarded in the Planning and Environment Court.

Extract of court case warning by David Manteit 14/10/24.

From: david manteit <davidmanteit@hotmail.com>
Sent: Friday, 11 October 2024 4:07 PM
To: city.legal@qld.gov.au <city.legal@qld.gov.au>
Cc: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>
Subject: Fw: 126 AHERN RD DARRA A 000565555

Att Paul, City Legal

This email is not confidential and may be published on brisbanecitycouncilcomplaints.com.au.

I spoke to a Paul of City Legal today.

I informed him that I need -

1) A copy of the easement document for stormwater which is council responsibility to prepare..

2) Response to the questions in writing I emailed Council on 1/10/4 regarding the proposed stormwater easement.

Council have failed to send a response after 10 days.

I put the Council on notice that I intend to lodge an seeking a court order for t BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/.24.

The order I shall seek may be one of the following -

- Extension of time of 20 business days to lodge a S75 representations.

after notice given.

Extract of court case warning by David Manteit 11/10/24.

4. These correspondences are part of the material of this Court Case.
5. The list of correspondences are as follows:

Letter to Lord Mayor, 25/10/24, Court doc 74, filed 14/1/26

No response

(53)

Index

(3)

128 Ashridge Rd Letter 10-10-24	10/10/2024 9:37 AM	Adobe Acrobat Docu...	1,575 KB
Email court 11-10-24	22/10/2024 11:11 PM	Adobe Acrobat Docu...	810 KB
Letter 14-10-24	14/10/2024 6:26 PM	Adobe Acrobat Docu...	2,886 KB
letter 21-10-24	21/10/2024 12:45 AM	Adobe Acrobat Docu...	409 KB
letter 22-10-24	22/10/2024 11:29 PM	Adobe Acrobat Docu...	470 KB
letter council 16-10-24	16/10/2024 8:19 AM	Adobe Acrobat Docu...	314 KB
letter to council 1-10-24	1/10/2024 9:33 PM	Adobe Acrobat Docu...	1,418 KB
letter to Council 21-2-24 Sara McCabe	21/10/2024 10:13 PM	Adobe Acrobat Docu...	262 KB

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.

I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code.

I state that:

This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.*

DECLARED by

David Manteit.....

signature of declarant

at Brisbane.....

25/10/24

[date]

Signed for and at the direction of the declarant by*

JUSTICE OF THE PEACE (QUALIFIED) #1713 Regd. Charmaine Annette Thompson. DEPT. OF JUSTICE & ATTORNEY-GENERAL JP Qualified

25/10/2024

Stat dec to Lord Mayor, 25-10-24, Court doc 74, filed 14-1-26

(54)

Index

Letter 11/11/24. Court file 74, filed 16-1-26

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

11-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Joel Wake

Dear Sir and Joel Wake

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

Interest owing
Specific performance
Council explanation required.

I require the Council to provide explanation of how the requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval.

Crosssection of trench

Build over sewer consent.

Vibration and compactio details

Name of Council person who designed the red line and their licence number.

66

Index

Letter to Council 11/11/24, Court doc 74, filed 14-1-26

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

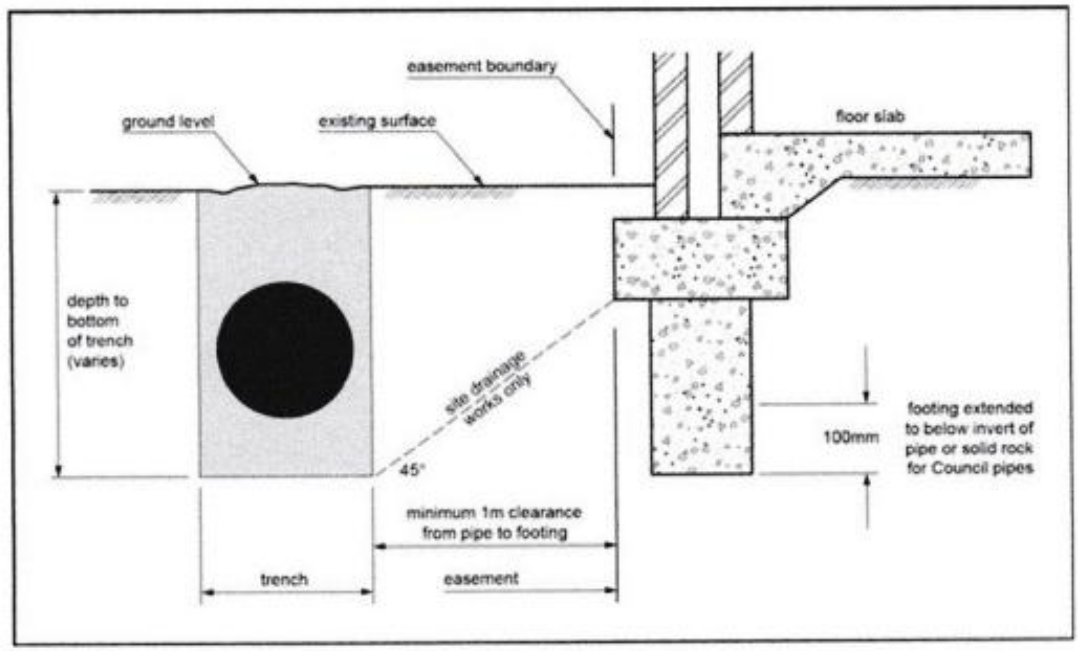


Figure 7.4.7a—Building near and over stormwater and subsoil drains

67

Index

Letter 11/11/24, Court doc 74, filed 16-1-26

The delegate Mr Joel Wake did not make an information request to David Manteit to prepare a stormwater plan for 128 Ashridge Rd Darra, as he did on the case of 143 Wakefield St Bald Hills, on 4-4-18.

The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed.

The Stormwater line cannot be built as per Council's own guidelines.

Council refuse to supply a copy of the **Easement document**, which is a requirement of 7.4.7.

Should the information not be provided by Wednesday 13-11-24, David Manteit shall lodge an application to Court for specific performance and damages.

Specific performance to supply the said information which currently prevents David Manteit from construction of the red line.

Damages since the due date for the Delegate to provide an information request to David Manteit to' provide a stormwater plan. The interest rate of 12.75% compounded daily of purchase price and stamp duty shall be applied. **Approx $35,797.43 to 11-11-24.**

I await your advices by Wednesday 13-11-24 .

Court action shall be lodged to Council and Joel Wake personally, on or after 18-11-24.

Regards

DAVID MANTEIT

Index

12-11-24. Letter toMcCabe, City Legal, 6 Council employees

12/11/24 (2)

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

12-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Sara McCabe
City Legal
Joel Wake
Zarndra Piper
Tom Gibbs
Scott Ruhland
Lucy Ting
Margaret Orr

Dear Sirs and Madams

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

I require the Council to provide explanation of how the Council requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit many times, but refused to supply.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval and the constraints of S 7.4.7 above.

Crosssection of proposed trench

Build over sewer consent.

Vibration and compaction details.

Index

24-4-25 Hearing, around 5 hearing minutes before the trial.

JUDGE WILLIAMSON

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

JUDGE WILLIAMSON

Yes, so I will take those.

SUSAN HEDGE

Yes, we're expecting the CEO, so I'm handing up, just to be clear on the record, an affidavit of... Kieran Ryan, dated 22 April 2025, and an affidavit of Andrew Dennis Corrigan, dated 22 April.

JUDGE WILLIAMSON

Thank you.

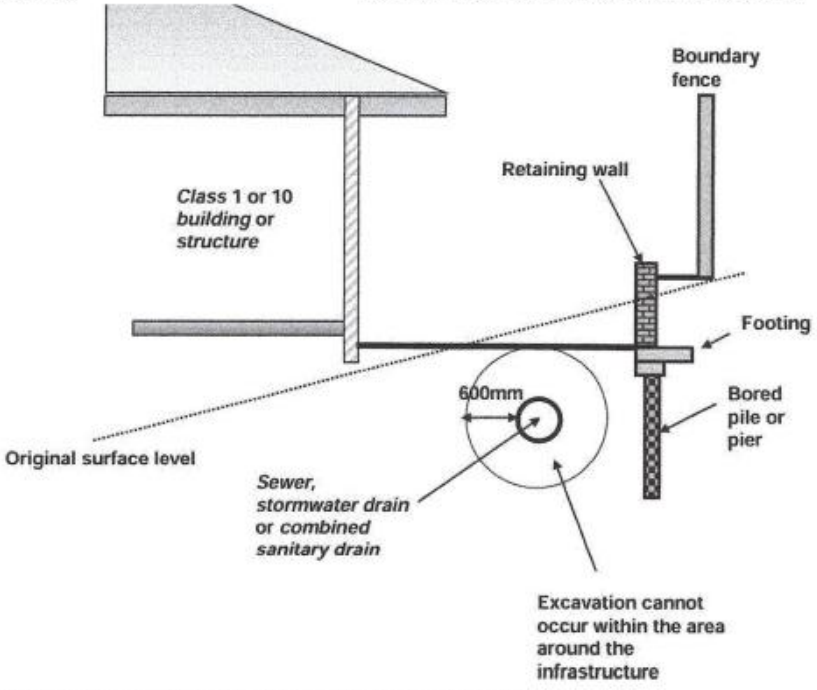
SUSAN HEDGE

The CEO certificate's expected to be signed today. Would it be suitable to simply file that document, or would you rather like a working copy delivered?

Index

Court doc15, filed 4-12-24 Easement document never responded to by Schrinners Council, Council employees, City Legal.

(4)



27) Please respond as to what "other easement" means. Is this BCC incompetence ?

The above list is not an exhaustive list. There will be more questions.

If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the court to consder this action and to take into account any costs of the case.

It is stated in the approval that Council will prepare the easement document. This is your responsibility, not mine.

Please provide by 5pm today responses to the above questions and the following -

- **wording and**
- **all plan view and**
- **cross sections front, back, left, right that take onto account all of the above.**

Assessment Manager

Please advise who the assessment manager for Planning Act definition , S60 purposes
is for the application. There was a person today on the phone whi states his name as Joel wake who
said he is the assessment manager but on the only correspondence provided by him on 26-9-24 it says he is a
Senior Urban Planner.

On Development I it says he is a development officer. I have previously this question in writing many times
who is the Planning Act assessment manager. No response
from BCC so far. This may affect the interest charges to BCC coming shortly.

It is best you appoint another person for your phone calls, instead of someone who ducks and weaves,
emotionally unstable in my opinion. He refuses to answer any questions whatsoever, harrases the applicant without myself
calling him. An intelligent, experienced person does not act like this way.

Assessment

Is there any reason why the decision has or isn't decided by an assessment manager on the 35th business day
after Properly Made date?

Your response will determine my final invoice.

Index

14. Adrian Schrinner - Respondent

Alleged Contempt of Court

Note - The contempts of Court listed against Cr Schrinner may apply to Cr Schrinner specifically or alternatively may also be mentioned in other sections. In the interests of any further overlapping of accusations, the reader should consider the extent of Schrinner's associations involvement with the other Respondents as mentioned in this application and what Cr Schrinner may have contributed to that other contempt.

1. It is a criminal contempt of Court by Cr Schrinner under the Criminal Code 1899 – Sect 92A to have instructed Susan Hedge and Sara McCabe to withhold evidence unfavorable to the Council's case until the day of the trial, or 5 hearing minutes before the trial in order to benefit by protecting the unlicenced Council employees and his own reputation.

Cr Schinner has failed to have performed the function of office by failing to audit incompetent and corrupt employees, as required by the Crime and Corruption Commission.

CRIMINAL CODE 1899 - SECT 92A

Applies to Freeman and Schrinner -

Misconduct in relation to public office

92A Misconduct in relation to public office

(1) A public officer who, with intent to dishonestly gain a benefit for the officer or another person or to dishonestly cause a detriment to another person—

(a) deals with information gained because of office; or

(b) performs or fails to perform a function of office; or

(c) without limiting paragraphs (a) and (b), does an act or makes an omission in abuse of the authority of office;

is guilty of a crime.

Penalty—

Maximum penalty—7 years imprisonment.

2. It is a criminal contempt of Court by Cr Schrinner under S226 of the Planning Act by giving the court false information including but not limited to –

- An act of omission for 7 months by failing declaring significant issues of the case until the day of the trial, or alternatively 5 hearing minutes before the trial.

- Act act of omission for 7 months, by failing to inform the court after having full knowledge that the RTI and DA approved Upstream Drainage Plans that would flood the residents of Darra, 1.2m under the Ashridge Rd kerb and 410,000 litres per hour pipe velocity.

- An act of omission for 3 months by allowing Council to make the statement to the Court in the Notice of reasons for Disputed Conditions dated 31-1-25 "represent one way", but in fact that way was flooded.

Index

3. It is a criminal contempt of Court by Cr Schrinner, by an act of omission, for 7 months, to have failed to take responsibility for the performance and behaviour of his own staff, by refusing to auditing their incompetent and corrupt conduct, as he is responsible for same, and could have prevented the court case. This is an act omission.

Queensland Consolidated Acts

[Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Previous] [Next] [Download] [Help]

PLANNING ACT 2016 - SECT 226

False or misleading information

226 False or misleading information

(1) A person must not, for this Act, give an official information that the person knows is false or misleading in a material particular.

Penalty—

Maximum penalty—4,500 penalty units.

(2) *Subsection (1)* does not apply if the person, when giving the information to the official—

(a) informs the official, to the best of the person's ability, how the information is false or misleading; and

(b) if the person has, or can reasonably get, the correct information—gives the correct information.

(3) In this section—

"official" means—

(a) an assessment manager; or

4. It is a criminal contempt of court by Cr Schrinner, by an act of omission, for 4 months , to have failed to formally respond to the Crime and Corruption letter to Manteit of 17/9/25, since Cr Schrinner is required to take responsibility, and be held accountable for the performance and behaviour of their own staff. Staff would include Dr Kerrie Freeman.

Schrinner's staff include the 7-13 unlicenced, incompetent Council employees that prepared both the RTI and DA engineered approved Upstream Drainage plans that are 1.2m under the Ashridge Rd kerb, >76 L/s pipe velocity, and will cause nuisance flooding to Darra residents and possible loss of life.

Confirmation from TST about plan mark ups	Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Lucy Ting 10:58 am

Court doc 27, filed 24-3-25

Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate. Regards Lucy Ting

RTI Court doc 27

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reicher
Subject: 128 ASHRIDGE RD DARRA (A005565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage mino condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services

16/12/2025, 22:10 Mail - david manteit - Outlook

Outlook

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

SENSITIVE

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

The CCC has considered the information you have provided and, after applying the principles in ss 34 and 35 of the CC Act, determined the complaint is appropriate to refer to the council.

Before we take any further action the CCC is seeking your explicit consent to refer your complaint to the council, including the information all the information that you have provided the CCC.

Please advise by **close of business on 1 October 2025** whether you consent to your complaint being referred to council. If you do not consent, or we do not hear from you within the required timeframe, the CCC may consider taking no further action on the matter.

Further information
To help you understand the role and scope of the CCC, I have included some information that I hope you find useful:

- some information from our website that explains what matters the CCC deals with; and
- information about why the CCC refers matters to another agency
- our Charter of Service, that tells you how we deal with complaints and what you can do if you are unhappy with our decision.

Yours sincerely,

https://outlook.live.com/mail/0/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0Aj2XEiyGU1kCNDadYzRq6pgAINIBTcwAA 1/2

Index

5. It is a criminal contempt of Court by Cr Schrinner by an act of omission, for 7 months to refuse to respond to emails sent to him by Manteit, being forwarded to him prior to 19/11/24, that if he had responded to, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24, as tabled here.

Table of letters sent to Dr Freeman by Manteit, prior to 19/11/24

Court doc	Date	Letters to the Lord Mayor Adrian Cr Schrinner	Pages	Action by Cr Schrinner
73	21/10/24	Sara Sara McCabe refused to respond to emails. City Legal refused to respond to emails. Mentioning of letter 21/10/24, letter 16/10/24, 11/10/24 (Questions on flooded stormwater pipes)	4	No response
74	22/10/24	Conflict of stormwater pipe in **easement** *"Can Brisbane City Council lodge an **affidavit with the Planning Court a copy of the easement document showing the arrangements"*** *"Could any of the Brisbane City Council Development Services Team advise which person assessed/addressed the design of the private drain to sewerage stub in the propose **easement plan** and documentation"*	5	No response
74	24/10/24	***Subject "128 Ashridge Rd Darra David Manteit Easement Document and Other"*** *"You leave me no option but to correspond with the Lord Mayor and filing with the Planning and Environment Court until the matters are resolved."* ***1) I require the document wording of the easement document, as per your duty of the approval.*** *"- The Planning Court judge will want this material filed now. Time is of the essence. Your failure to provide **may be seen as general contempt of the applicant, your ratepayers who will be footing the bill, and the Court Judge, since I have asked some 20 plus questions on the easement document many times including on 1/10/24. That is 21 days ago. Silence. Why?***	5	No response

Index

		- Silence. Council is hindering my business. *Damages have already been requested in orders for loss of business."* ***"This is why I need to sight the specific wording of the easement. I must identify all easement constraints additional to the conctruction constraints"*** *"I assume your employee solicitor has now been struck off, due to refusal to acknowledge the existing of Council Court warnings, including email of 11/10/24.* *Reference to email of 11/10/24.* ***'You now need to pay my damages"***		
74	25/10/24	Stat Dec. *"As of 25/10/24 I have received no response from City Legal and other Brisbane City Council employees"* *"The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large"*	4	No response
74	25/10/24	"128 Ashridge Rd Darra Drainage Plan affidavit required" Cross section of Council easement.	7	No response

6. It is a criminal contempt of Court by Cr Schrinner to have instructed Council employees, Sara McCabe and City Legal to withhold relevant engineering information to the proceeding, Manteit's allegations and Manteit's case, including the following -

- Engineering information of Council employee engineered source documents
- Manteit allegations
- Manteit's ability to prosecute his case,

And as listed in the following table below.

and if Schrinner, Sara McCabe, City Legal or Council employees as listed in the DA approval had responded to, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24.

Index

Table of letters sent by Manteit requesting Council and Council employee engineering information in relation to Council engineered source documents, Manteit statements of Council flooding, Manteit request for easements.

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr,Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake,Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
Total			**108 pages**	**No response**

7. It is a criminal contempt of Court by Cr Schrinner to have instructed Council employees, Sara McCabe and City Legal to withhold unfavourable evidence to Council's case, including

- Engineering information of Council employee engineered source documents
- Council easement document

Which has intentionally thwarted Manteit (Appellant) from prosecuting his case.

7. It is a criminal contempt of Court by Schrinner to have instructed City Legal, Sara McCabe, Susan Hedge to intentionally withhold unfavorable evidence to Council's case until the day of the trial, by removing or changing of positions and attempting to -

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

- avoid further allegations of corrupt employee conduct by the Crime and Corruption Commission

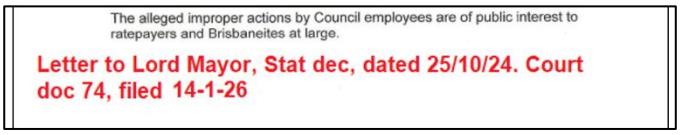
- avoid the possibility of Cr Schrinner and Dr Freeman being charged by the Crime and Conduct Commission for their own alleged corrupt conduct.

8. It is a criminal contempt of Court by Cr Schrinner, by an act of omission, for 7 months, to refuse to (a) respond to Manteit's statement to him in letter of 25/10/24, and (b) take control of his

Index

employees from engineering and designing flooded plans that flood Darra residents and may cause possible loss of life.

25/10/24. Manteit to Cr Schrinner - *"The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large"*

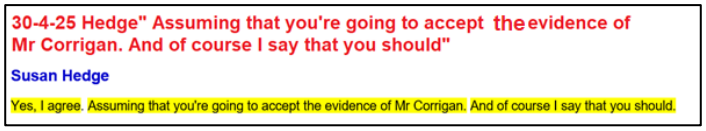

The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

9. It is a criminal contempt of Court by Cr Schrinner to have instructed Susan Hedge to lie in Court a number of times, on 24-4-25 as detailed in sections of this Amended Application and alternatively performed acts of omission by failing to inform court of various matters.

10. It is a criminal contempt of Court by Cr Schrinner to have instructed unlicenced and incompetent Council employees to draw up plans to flood Darra residents and cause potential loss of life by their preparation of the RTI and DA approved Upstream Drainage stormwater plans, Being flooded 1.2m under the kerb or alternatively -

Cr Schrinner failed to audit the abovementioned flooded Upstream Drainage plans, to flood Darra residents and cause potential loss of life prior to the DA approval since Cr Schrinner is responsible for all his employees performance and behaviour, as stated by the Crime and Corruption Commission letter to Manteit, dated 17-9-25.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

11. It is a criminal contempt of Court By Cr Schrinner to incite the breaking of Council laws and other laws, by the owner, as a result of Susan Hedge acceptance of the Corrigan report, on 30-4-25, as stated in other sections

- 38. Corrigan report
- 39. Corrigan's statements as a witness

Including 31 alleged contempts of court, in that report, but not limited to -

- 4 flooded plans that would flood Darra residents with nuisance flooding and cause potential loss of life
- The placing of around 200 rainwater tanks in neighbours's yards to prevent flooding
- Placing of easements in the owner's front yard to prevent the owner from providing services to the block, preventing of building structures and being able to seal the subdivision plan.

12. It is a criminal contempt of Court by Cr Schrinner to instruct Susan Hedge to state on 30-4-25 that Council's position is that "the Upstream Drainage pipe can go straight down the middle of the block"

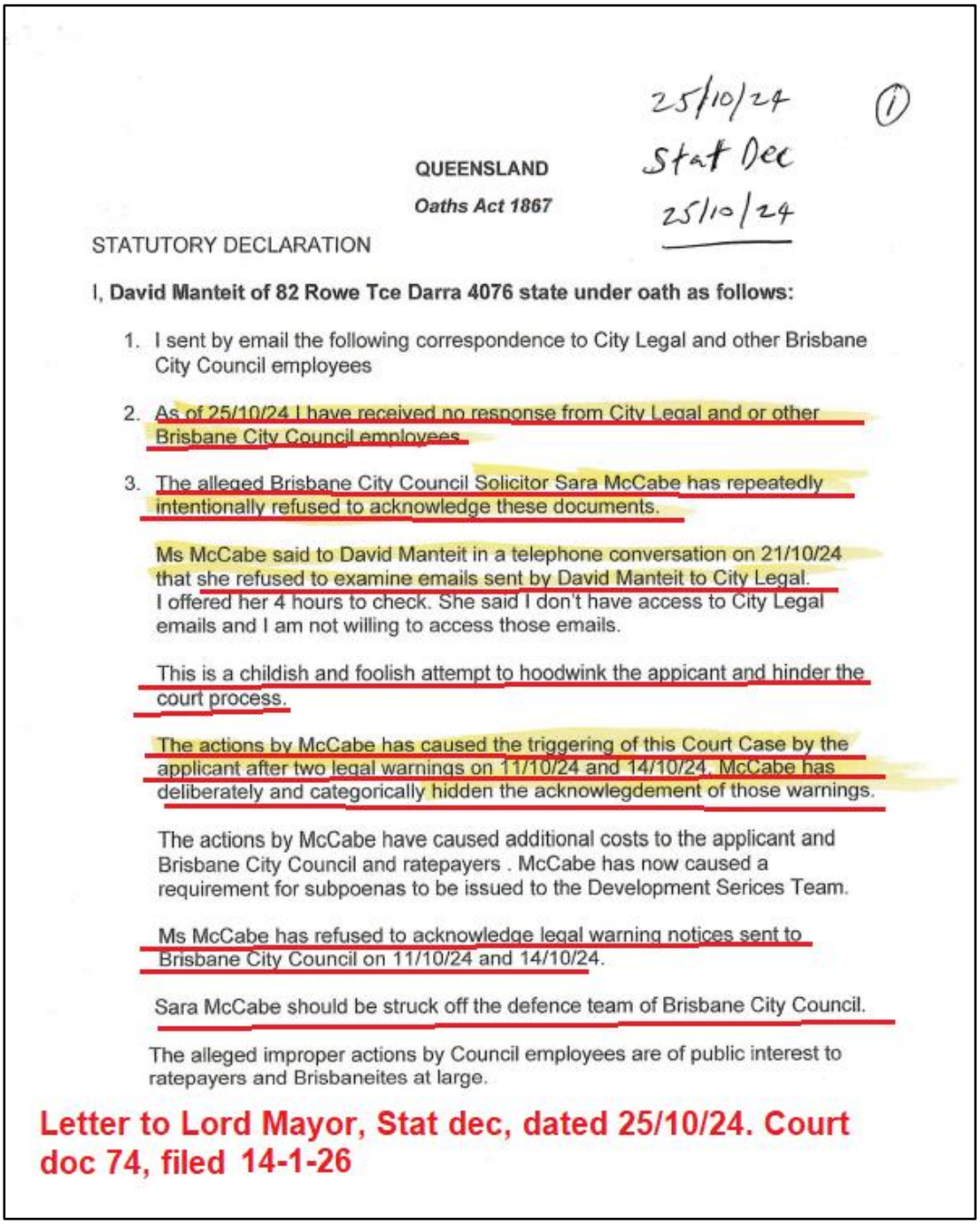
This is an absurd position for the Lord Mayor to instruct a barrister to make that statement, since it would prevent the building of a house, as stated by Corrigan.

Index

13. It is a criminal contempt of court by Cr Schrinner to deceive the court by forcing the court to believe that two incompetent witnesses are eligible perons to decide on timing of submitting of engineer drawings and not Council assessment officers.

14. It is a criminal contempt of Court by Cr Schrinner to deceive the court that Corrigan and Ryan have created -/

- New precedence of sorts for all Council assessment managers on a daily basis to decide in future DA cases when the assessment manager deems when engineers are required to submit engineering drawings by simply referring to some witness instead of Council's own assessment policies.



25/10/24 (1)
Stat Dec
25/10/24

QUEENSLAND
Oaths Act 1867

STATUTORY DECLARATION

I, **David Manteit of 82 Rowe Tce Darra 4076 state under oath as follows:**

1. I sent by email the following correspondence to City Legal and other Brisbane City Council employees

2. As of 25/10/24 I have received no response from City Legal and or other Brisbane City Council employees.

3. The alleged Brisbane City Council Solicitor Sara McCabe has repeatedly intentionally refused to acknowledge these documents.

Ms McCabe said to David Manteit in a telephone conversation on 21/10/24 that she refused to examine emails sent by David Manteit to City Legal. I offered her 4 hours to check. She said I don't have access to City Legal emails and I am not willing to access those emails.

This is a childish and foolish attempt to hoodwink the appicant and hinder the court process.

The actions by McCabe has caused the triggering of this Court Case by the applicant after two legal warnings on 11/10/24 and 14/10/24. McCabe has deliberately and categorically hidden the acknowlegdement of those warnings.

The actions by McCabe have caused additional costs to the applicant and Brisbane City Council and ratepayers . McCabe has now caused a requirement for subpoenas to be issued to the Development Serices Team.

Ms McCabe has refused to acknowledge legal warning notices sent to Brisbane City Council on 11/10/24 and 14/10/24.

Sara McCabe should be struck off the defence team of Brisbane City Council.

The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

Index

Background to this section

1. **The Crime and Corruption Commission** stated in a letter to Manteit below, dated 17/9/25 that

"All government agencies including the Council, are required to take responsibility, and be held accountable, for the performance and behavior of their own staff"

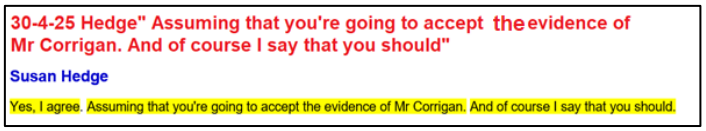
2. It is alleged that Cr Schrinner had, at all times, control over the producing of **eight flooded stormwater plans** on behalf of the Council and the ratepayers of Brisbane, as follows:

- RTI plan, prepared by 7-13 Council employees between 12/7/24 and 25/9/24 (2 flooded plans)
- DA approval prepared by Council employees on 25/9/24 (2 flooded plans)
- Corrigan report filed 23/4/25 (2 flooded plans)
- Corrigan statements in court on 28-29/4/25 (2 flooded plans)

3. Cr Schrinner could have stopped the producing of the illegal flooded plans at any time, but chose not to do so, every time.

4. Cr Schrinner at all times from 12/7/24 to 25/9/24 had control over Schrinner Council employees who are alleged by the Crime and Corruption Commission on 17/9/25 to have have committed corrupt conduct as per S15 (1) of the CCC Act 2001.

5. Cr Schrinner **accepts all Corrigan's evidence** and gave Susan Hedge instructions to inform court on 30-4-25 that Susan Hedge and Council accepts all Corrigan evidence.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

6. Cr Schrinner has at all times had control over the Schrinner Council employees who broke certain Council laws and the laws of gravity, in the process of **producing 2 flooded RTI Upstream Drainage and Onsite Drainage plans.**

7. Cr Schrinner had at all times had responsibility of the Schrinner Council employees who incited the breaking of certain Council laws and the laws of gravity, in the process of **producing 2 flooded DA approved Upstream Drainage and Onsite Drainage plans.**

8. Cr Schrinner has a duty to protect the residents of Brisbane, but as instead has incited the Council employees to break council and gravity laws, by potentially causing major nuisance flooding to the residents of Darra.

9. Cr Schrinner had control over Susan Hedge and Sara McCabe who insisted on deceiving the court by not removing fill conditions in 12,17 and 18 for 4 months, until 31-1-25 and intentionally caused uncertainty over what areas were to be filled by Manteit, when in fact, not a teaspoon of dirt was required for lawful point of discharge for Onsite Drainage.

10. It is alleged that Cr Schrinner gave instructions that all material to be relied on by Schrinner Council was filed in contempt of Court after the required order date, so as to thwart and prejudice the Appellant's (Manteit) application.

Index

11. Cr Schrinner has been aware of this case at least since 2/9/24 when Ting sent and emails, prior to the Notice of Appeal.

12, Cr Schrinner was given flood warnings and statements by Manteit, in 5 letters to him, prior to 19/11/24, the Notice of Appeal.

13. Cr Schrinner and the Council employees were asked hundreds of times by Manteit to provide information on the Upstream Drainage flooded pipes, Easement document and fill conditions.

14. Cr Schrinner never responded to any emails sent to him. If Cr Schrinner had responded to one email by Manteit there would have been no need for a court case.

15. Cr Schrinner never responded to Manteit's request on a direct request to him on 25/10/24 for a copy of the Council easement.

16. Cr Schrinner was warned of contempt of court by Manteit on 24/10/24.

17. Cr Schrinner instructed Council employees not to respond to Manteit since they knew their Upstream Drainage pipe was flooded 1.2m under the Ashridge Rd kerb.

18. It is alleged that Cr Schrinner instructed Council employees not to respond to Manteit since they were aware of imminent Crime and Corruption allegations, which may place the employees in jail, and possibly Cr Schrinner himself.

19. It is alleged that Cr Schrinner gave instructions to Susan Hedge and Sara McCabe to force Judge Williamson KC to state to Susan Hedge, five minutes before the trial, that His Honour required working copies of Council's material because he had not any filed copies.

20. It is alleged that Cr Schrinner gave instructions to Susan Hedge to advise His Honour Judge Williamson KC five hearing minutes before the trial, that the Council employee Upstream Drainage pipes were flooded 1.2m under Ashridge Rd kerb, when he had known this since Manteit advised City Legal on 11/10/24 that the pipes were 1.2 m under the Ashridge Rd kerb.

21. It is alleged that Cr Schrinner knew for the whole trial, since the Notice of Appeal, 19/11/24, that the Upstream Drainage pipes were flooded under the Ashridge Rd kerb, as advised by Manteit to City Legal and 6 Council employees, on 11/10/24, with Excel calculations and cross sections.

22. It is alleged that Cr Schrinner is partly or wholly responsible for systemic employee corrupt conduct, as alleged by the Crime and Conduct Commission, in a letter to Manteit, on 17/9/25.

23. There are around 20 occasions where Schrinner Council employees did not respond to Manteit, prior to any Court case, when Manteit asked around 200 questions of Council officers about –

- DA approved flooded Upstream Drainage red lines
- DA approved flooded Upstream Drainage conditions
- DA approved Onsite Drainage illegal red lines
- Illegal DA approved fill conditions

Index

24. There has been no response by Council employees, to any emails except Margaret Orr, 3/10/24 - “you can lodge S75 or go to Court”

25. If Cr Schrinner had instructed the Council employees to respond to Manteit’s letter of 10/10/24, there would have been no court case in the Planning Court.

Cr Schrinner has chosen to protect the Council officers who have made plans flooded Darra residents twice.

26. Cr Schrinner has failed to audit his Schrinner Council employees for not only corrupt conduct but also for incompetent conduct.

27. Cr Schrinner has chosen to give instructions to Council staff, Susan Hedge and Sara McCabe to hide many significant matters until the day of the trial, including flooded Upstream Drainage and timing of engineering plans submissions, removal of Upstream Drainage red lines and corresponding conditions.

28. Cr Schrinner has overseen the payment for 8 Council flooded plans. Four Council employee plans and at least four Corrigan plans.

29. Cr Schrinner is alleged to have instructed Susan Hedge to wait until 5 hearing minutes before the trial to advise His Honour that the Upstream Drainage was flooded 1.2m under Ashridge Rd, when Manteit told his employees that their pipes flooded by 1-1.2m, 6 days after the DA approval.

30. Cr Schrinner is alleged to be in contempt of Court for giving instructions to Council employees, Susan Hedge and Sara McCabe, to “keep quiet” about the Upstream Drainage [plan being 1.2m under the Ashridge Rd kerb,

31. Schrinner Council had 4 hearings, on 12-12-24, 12-2-25, 14-4-25 and 24-4-25 to advise JHio Honour Judge Williamson the Upstream Drainage pipes were flooded. But he allegedly gave instructions to keep that quiet until 5 hearing minutes before the trial to avoid arguments in the trial, as it was adverse to Manteit’s case.

Cr Schrinner knew that the red lines and conditions were authored by his employees. This was a source document authored by Schrinner Council employees, not Manteit.

33. Cr Schrinner would have known that the Upstream Drainage red lines didn’t work since Manteit called Wake on 1/10/24, and wrote a letter to Council employees on 10/10/24

34. Cr Schrinner knew that my RPEQ would lose his licence for life if he designed the Schrinner Council pipes. Cr Schrinner knew that my RPEQ would lose his licence by designing another pipe, even if it worked, it was not generally in accordance with the red line and conditions. My RPEQ would be fined $751,000 under S164 of the Planning Act for performing building work which includes hydraulic design work.

Schrinner is alleged to have instructions to Susan Hedge to state -

“the pipes can go straight through the middle of the lot” This is very disturbing that Cr Schrinner, who is on the Civic committee would allow this statement.
It is an insult to the ratepayers of Brisbane to instruct Susan Hedge to make that statement.

Index

15. Kerrie Freeman - Respondent

Alleged Contempt of Court

1. It is a criminal contempt of Court by Dr Freeman under the Criminal Code 1899 – Sect 92A to have instructed Susan Hedge and Sara McCabe to withhold information unfavourable to the Council's case until the day of the trial, or in some cases, 5 hearing minutes before the trial, in order to benefit by protecting the unlicenced Council employees from Crime and Corruption Commission charges and her own reputation.

Freeman has failed to have performed the function of office by failing to audit incompetent and corrupt employees, as required by the Crime and Corruption Commission.

CRIMINAL CODE 1899 - SECT 92A

Misconduct in relation to public office

Applies to Freeman and Schrinner -

92A Misconduct in relation to public office

(1) A public officer who, with intent to dishonestly gain a benefit for the officer or another person or to dishonestly cause a detriment to another person—

(a) deals with information gained because of office; or

(b) performs or fails to perform a function of office; or

(c) without limiting paragraphs (a) and (b), does an act or makes an omission in abuse of the authority of office;

is guilty of a crime.

Penalty—

Maximum penalty—7 years imprisonment.

2. It is a criminal contempt of Court by Dr Freeman under S226 of the Planning Act by giving the court false information including but not limited to –

- An act of omission for 7 months, by failing to declare significant issues to the court until the day of the trial, or alternatively 5 hearing minutes before the trial.

Queensland Consolidated Acts

[Index] [Table] [Search] [Search this Act] [Notes] [Noteup] [Previous] [Next] [Download] [Help]

PLANNING ACT 2016 - SECT 226

False or misleading information

226 False or misleading information

(1) A person must not, for this Act, give an official information that the person knows is false or misleading in a material particular.

Penalty—

Maximum penalty—4,500 penalty units.

(2) *Subsection (1)* does not apply if the person, when giving the information to the official—

(a) informs the official, to the best of the person's ability, how the information is false or misleading; and

(b) if the person has, or can reasonably get, the correct information—gives the correct information.

(3) In this section—

"official" means—

(a) an assessment manager; or

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

- Act act of omission for 7 months, by failing to inform the court and Manteit after having full knowledge that the RTI and DA approved Upstream Drainage Plans that would flood the residents of Darra, 1.2m under the Ashridge Rd kerb and 410,000 litres per hour pipe velocity.

The act of omission is against common law and the UPCR Rules 1999 – REG 211.

"211. *A party to a proceeding has a duty to disclose to each other each document –*

(a) in the ***possession of the first party****; and*

(b) ***directly relevant to an allegation*** *in issue in the pleadings;"*

- An act of omission for 7 months, by allowing Council to make the statement to the Court in the "Notice of reasons for Disputed Conditions" dated 31-1-25 "represent one way", but in fact that way was flooded.

Index

3. It is a criminal contempt of court by Dr Freeman, by an act of omission for 7 months, to have failed to take responsibility for the performance and behaviour of her own staff, by refusing to audit her own staff incompetent and corrupt conduct, as he is responsible for same, and could have prevented the court case. This is an act omission.

4. It is a criminal contempt of court by Dr Freeman, by an act of omission, to have failed to formally respond to the Crime and Corruption letter to Manteit of 17-9-25, sent to Council around 25-9-25 since this Cr Schrinner is required to take responsibility, and be held accountable for the performance and behaviour of their own staff.

Freeman's staff include the 7-13 unlicenced, incompetent Council employees that prepared both the RTI and DA engineered approved Upstream Drainage plans that are 1.2m under the Ashridge Rd kerb, >76 L/s pipe velocity, and will cause nuisance flooding to Darra residents and possible loss of life.

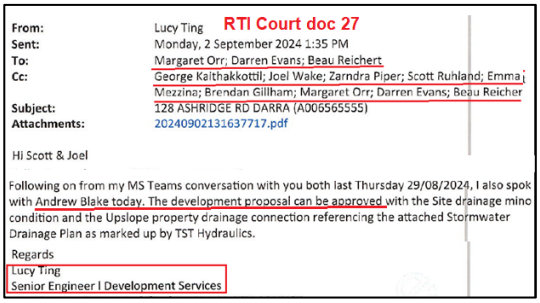
Confirmation from TST about plan mark ups

Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Court doc 27, filed 24-3-25

Lucy Ting 10:58 am

Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate. Regards Lucy Ting

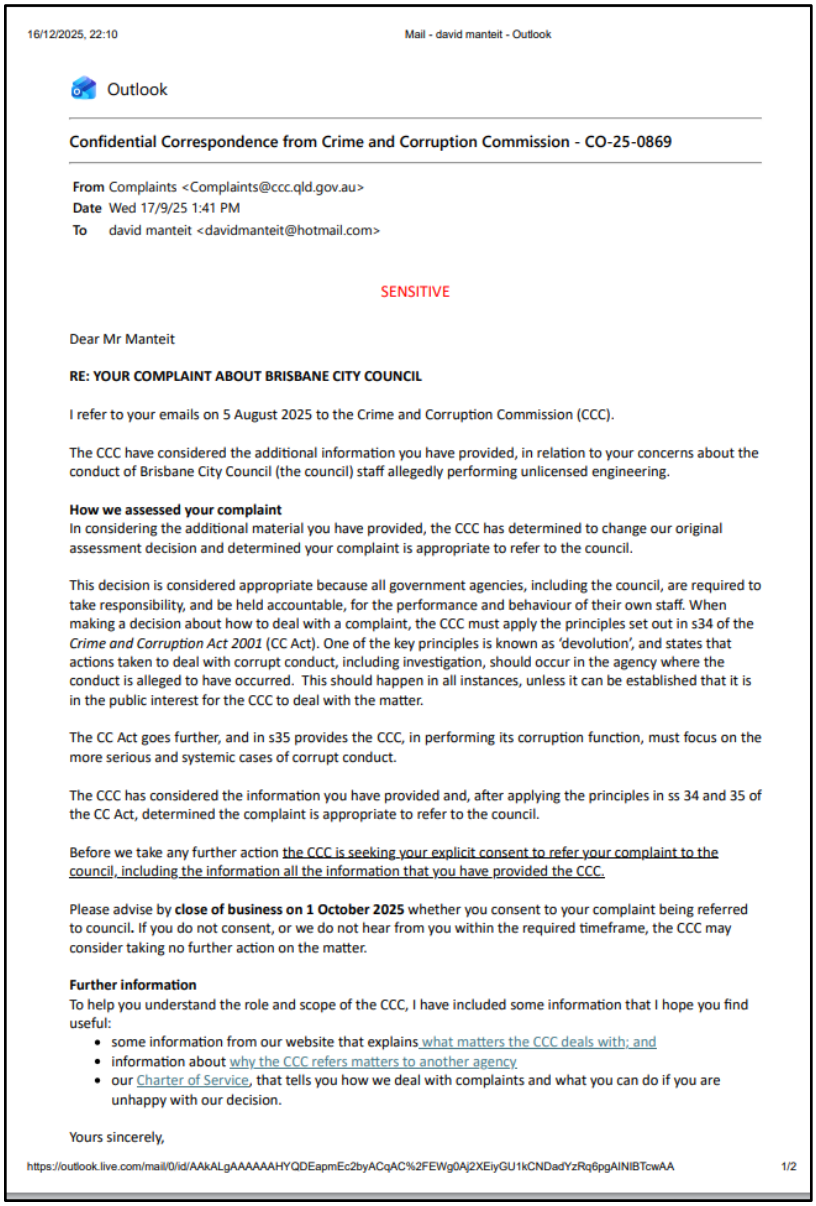

RTI Court doc 27

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reicher
Subject: 128 ASHRIDGE RD DARRA (A005565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage mino condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services


16/12/2025, 22:10 Mail - david manteit - Outlook

Outlook

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

SENSITIVE

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

The CCC has considered the information you have provided and, after applying the principles in ss 34 and 35 of the CC Act, determined the complaint is appropriate to refer to the council.

Before we take any further action the CCC is seeking your explicit consent to refer your complaint to the council, including the information all the information that you have provided the CCC.

Please advise by **close of business on 1 October 2025** whether you consent to your complaint being referred to council. If you do not consent, or we do not hear from you within the required timeframe, the CCC may consider taking no further action on the matter.

Further information
To help you understand the role and scope of the CCC, I have included some information that I hope you find useful:

- some information from our website that explains what matters the CCC deals with; and
- information about why the CCC refers matters to another agency
- our Charter of Service, that tells you how we deal with complaints and what you can do if you are unhappy with our decision.

Yours sincerely,

https://outlook.live.com/mail/0/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0Aj2XEiyGU1kCNDadYzRq6pgAINIBTcwAA 1/2

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

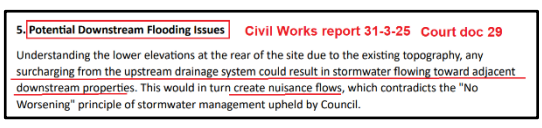
SUSAN HEDGE **24-4-25 Hedge "It won't work"**

Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Hedge - "that won't work"

JUDGE WILLIAMSON

Okay. Well there we go.


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

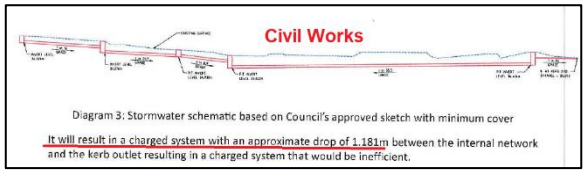

Civil Works

Diagram 3: Stormwater schematic based on Council's approved sketch with minimum cover

It will result in a charged system with an approximate drop of 1.181m between the internal network and the kerb outlet resulting in a charged system that would be inefficient.

Hedge - "can I put all the cards on the table to assist, Your Honour? **24-4-25**

SUSAN HEDGE

So, less than the trigger for accessible development. And perhaps, can I just put all the cards on the table to assist, Your Honour? Mr. Corrigan...

So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Index

5. It is a criminal contempt of Court by Dr Freeman to have instructed Council employees, Sara McCabe and City Legal to withhold relevant engineering information to the proceeding, to Manteit's allegations and Manteit's case, including the following -

- Engineering information of Council employee engineered source documents
- Manteit allegations
- Manteit's ability to prosecute his case,

and if Cr Schrinner, Sara McCabe, City Legal or Council employees as listed in the DA approval had responded to Manteit, would have prevented Manteit from filing the Notice of Appeal dated 19/11/24.

6. It is contempt of Court by **Dr Freeman who intentionally** signed and filed two of her own affidavits, court docs 50 and 51, on 24-4-25, in contempt of court, being 2 days after the required date of 22-4-25.

The signing by **Dr Freeman** of Court documents 50 and 51 on 24/4/25 implies the flagrant contempt of the court in that the affidavits could have been signed weeks before 24/4/25, by Dr Freeman. This is another example of why the Contempt of Court is elevated from Civil to Criminal, since it is clearly intentional, to thwart the Prosecution of his case.

7. It is Contempt of Court by Dr Freeman to intentionally used the **illegal Nearmaps and Contours 2019 to fool the Court**, when Contours 2002 is legal.

8. It is Contempt of Court by Dr Freeman to either instruct **Corrigan to also use illegal Contours 2019** to fool the Court, in the alternative, did not audit his report, but should have.

Background to this section

1. Dr Freeman is the Chief Executive Officer of Brisbane City Council

2. As stated by the CCC in a letter to Manteit on 17-9-25, The Council are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff.

Extract from letter to Manteit from the CCC to be filed by 16-1-26

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

3. Dr Freeman has therefore been responsible for every single Contempt of Court allegation in this Amended Application.

4. In addition, Dr Freeman is responsible for all statements made in the Corrigan report and the Ryan report, since she has accepted all Corrigan's evidence and Ryan's evidence.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

5. To be clear, Dr Freeman takes overall and equal responsibility, at all times for the Contempts of Court in this Amended Application by –

Index

- Brisbane City Council
- Ms Kerrie Freeman
- Cr Adrian Schrinner
- Ms Susan Hedge
- Ms Sara McCabe

- Mr Andrew Corrigan
- Mr Ryan

6. The contempts of Court alleged in this application have been already been covered in detail in other sections.

In this section the Appellant (Manteit) and DA applicant (Manteit) does not intend to regurgitate all the contempts of the other Respondents, as that would be doubling up.

Duty of care of a public utility – Flooding by Brisbane City Council "Council"

7. Dr Freeman and Council have paid for or instructed for the preparation of **8 illegal flooded stormwater plans,** so far, on behalf of the residents of Brisbane.

This fact is astounding, since Brisbane City Council would be the only city in the world that has become a professional Council flooded plan stormwater expert.

All of the stormwater plans produced or instructed by Brisbane City Council, are flooded under the kerb of 128 Ashridge Rd Darra between 410,000 litres per hour to 615,000 litres per hour in a C1 or C20 flood. This is greater than the lawful 30 L/s, in contravention of PSP7.6.3.1(2).

It is the Council proposition that 4,000 square metres of 3 story dwellings, and perhaps up to 100 dwelling units are to share tiny one kerb adaptor in Ashridge Rd.

8.Schrinner Council, Cr Schrinner and Dr Freeman, in their 8 flooded plans, allegedly insist on creating a flooding nuisance to the residents of Darra, and potential loss of life.

Schrinner Council, Cr Schrinner and Dr Freeman have allegedly had a total disregard for the safety of Darra and Brisbane residents, should their illegal flooded stormwater plans have been constructed and caused nuisance flooding and loss of life.

9. This is the only case approved of 412 cases in the 2024 calendar year that Council designed and engineered any stormwater plan, and showed a Council engineered stormwater plan in red, whatsoever, let alone being a stormwater plan being flooded.(as filed around 27-1-25).

This is clear evidence that something was wrong.

10. It is a criminal contempt of Court by Dr Freeman to have instructed Council employees, Sara McCabe and City Legal to withhold relevant unfavourable evidence to Council's case, including

- Engineering information of Council employee engineered source documents
- Council easement document

Index

Which has intentionally thwarted Manteit (Appellant) from prosecuting his case.

11. It is a criminal contempt of Court by Dr Freeman to have instructed City Legal, Sara McCabe, Susan Hedge to intentionally withhold arguments detrimental to Council's case until the day of the trial, by removing or changing of positions and attempting to

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

- avoid further allegations of corrupt employee conduct by the Crime and Corruption Commission

- avoid the possibility of Cr Schrinner and Dr Freeman being charged by the Crime and Conduct Commission for their own alleged corrupt conduct.

12. It is a criminal contempt of Court by Dr Freeman to have instructed Susan Hedge to lie in Court a number of times, on 24-4-25 as detailed in sections of this Amended Application and alternatively performed acts of omission by failing to inform court of various matters.

The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 14-1-26

13. It is a criminal contempt of Court by Dr Freeman to have either instructed unlicenced and incompetent Council employees to draw up plans to flood Darra residents and cause potential loss of life by their preparation of the RTI and DA approved Upstream Drainage stormwater plans, Being flooded 1.2m under the kerb or alternatively -

Dr Freeman failed to audit the abovementioned flooded Upstream Drainage plans, to flood Darra residents and cause potential loss of life prior to the DA approval since Dr Freeman is responsible for all his employees performance and behaviour, as stated by the Crime and Corruption Commission letter to Manteit, dated 17-9-25.

14. It is a criminal contempt of Court By Dr Freeman to incite the breaking of Council laws and other laws, by the owner, as a result of Dr Freeman's acceptance of the Corrigan report, as stated in the sections -

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- 38. Corrigan report
- 39. Corrigan's statements as a witness

Including 31 alleged contempts of court, in that report, but not limited to -

- 4 flooded plans that would flood Darra residents with nuisance flooding and cause potential loss of life
- The placing of around 200 rainwater tanks in neighbours's yards to prevent flooding
- Placing of easements in the owner's front yard to prevent the owner from providing services to the block, preventing of building structures and being able to seal the subdivision plan.

Index

15. It is a criminal contempt of Court by Dr Freeman to instruct Susan Hedge to state on 30-4-25 that Council's position is that "the Upstream Drainage pipe can go straight down the middle of the block"

16. It is a criminal contempt of Court by Dr Freeman to deceive the court that Corrigan and Ryan have provided -

- New precedence for all Council assessment managers on a daily basis to decide in future DA cases when the assessment manager deems when engineers are required to submit engineering drawings by simply referring to some witness instead of Council's own assessment policies.

Duty of care of a public utility - Council approved plans with fake flooded red stormwater lines, fake flooded engineering conditions and fake fill conditions.

17. Laws came into effect on 1-8-25 that owners are required to make a declaration of any adverse items on their block.

18. All owners of properties in Brisbane should be concerned that they may not be able to sell their own houses should Council have placed flooded hydraulic plans right down the middle of their block - Susan Hedge.

19. The public should now be made aware that Council may have placed an illegal flooded stormwater plan on your own property.

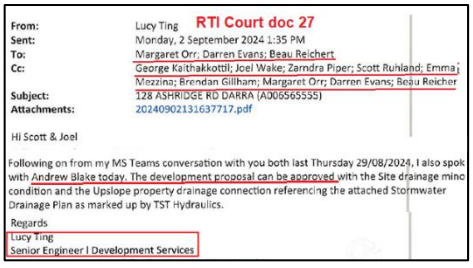
20. The Real Estate Institute of Queensland have interest in these matters.

Intentional filing of all material in contempt of Court.

21. Dr Freeman has instructed and/or has had control over all instructions to Sara McCabe, City Legal and Susan Hedge to file all affidavits in Contempt of Court, in this case 2916/24.

Dr Freeman has failing to audit the incompetent and unlicenced Council employees

22. Ting wrote to 12 Council employees on 2/9/24 to ask them to look at the Upstream Drainage plan. Ting said it was accurate. The Council employee Upstream Drainage plan turned out to be 1.2m under the Ashridge Rd kerb.


RTI Court doc 27

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage mino condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services

Then the same team of 13 Schrinner Council employees on 25/9/24 produced a flooded DA approved Upstream Drainage plan.

That's 26 tmes Schrinner Council employees had a chance to check the flooding.
That is called incompetent engineering. Freeman failed to audit Council employees for incompetency.

If Freeman had done that audit, those flooded plans would not have appeared on a DA Approval and there would not have been a court case.

Index

23. The CCC asked all CEO's to investigate for unlicenced engineering in 2020 and setup staff policies to check for unlicenced engineering, which has clearly been the case. Freeman failed to audit Council employees for unlicenced engineering, as required by the CCC.

Hiding of significant issues until the day of the trial.

24. Dr Freeman has instructed or had the authority to instruct City Legal, Hedge and McCabe to hide all Council evidence that was unfavourable to Council and significant issue that are adverse to Council's case until the day of the trial.

Letters to Lord Mayor, Sara McCabe, City Legal and 7 Council employees

25. Dr Freeman has intentionally given instructions to McCabe, City Legal and 7 Council employees to refuse to respond to 13 letters of 108 pages of requests for information on the Council employee engineered and authored source documents Statements by Manteit of Council employee Upstream Drainage flooding 1.2m under Ashridge Rd in letters 1/10/24 and 10/10/24. In addition there were two legal warning notices to McCabe and City Legal, including letter of 14/10/24.

No response.

26. Then 5 letters of flood warnings to the Lord Mayor. No response.

There was no response by any of them. The action by a CEO of Brisbane to instruct a Council employee to refuse to respond, is dishonest, in the least, and may be part of the further corruption allegation.

If one of those Manteit letters were responded to, this case would never have been commenced. and the Crime and Corruption allegations of corrupt conduct would never have happened

Inciting others to commit criminal offences

27. Schrinner Council have produced and paid for 8 flooded plans so far. The preparation of, producing and paying for 8 flooded plans by Council is inciting the owner to cause nuisance flooding to the residents of Darra and loss of life.

All of the Respondents have accepted the Corrigan report which has produced 4 flooded stormwater plans.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

28. Cr Schrinner and Dr Freeman have gone to great lengths to spend an estimated $300,000 of ratepayers money on 8 flooded flooded plans instructed by them. Schrinner Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe have all accepted all Corrigan's evidence of flooded plans to create nuisance flooding and potential loss of life.

Index

29.If these Council paid flooded stormwater plans were built by the owner, they would have broken many Council laws and could have caused flooding and loss of life, Council has therefore incited the owner to commit offences and cause loss of life.

Inciting lies to Court by Susan Hedge

30. Susan Hedge has lied to the Court on 24-4-25, up to 10 times in that hearing, assisted by Sara McCabe (handing over Court document 23).

31. It is alleged that Dr Freeman has instructed Susan Hedge to perform acts of omission, by refusing to inform the Court for 7 months that the Council employee Upstream Drainage plans were flooded by 1.2m, around 5 minutes before the end of the pretrial hearing, which was 5 hearing minutes before the trial.

32. Dr Freeman knew from Manteit letters of 1/10/24, 10/10/24 and 14/10/24 that the Council employee Upstream Drainage plan was flooded by 1.2m under Ashridge Rd.

Dr Freeman knew the Upstream Drainage pipes were flooded because Schriner Council employees and showed Exel calculations to her, on 10/10/24, showing1.2m flooded under the Ashridge Rd kerb. Blind Fred could see within 30 seconds that the pipes were flooded.

33. Dr Freeman had 7 months to inform the Court of sigificant matters unfavourable evidence to Council's case. Dr Freeman did not. That is dishonest to the Court.

Refusal by Dr Freeman to supply the Council easement document.

34. The hiding of this easement document by Freeman and others is a significant issue in this case and is cause for a retrial since Dr Freeman instructed all Council employees to refuse to send this document to Manteit, on 1/10/24. There is around 100 pages of evidence in this application alone, where Manteit requested the easement document, including 27 questions in his first letter on 1/10/24 to Freeman's employees.

Hiding by Dr Freeman of unfavourable Council evidence until the trial

35. Dr Freeman allegedly chose to hide this unfavourable evidence or avoid arguments of the unfavourable Council evidence until the day of the trial.

Dr Freeman allegedly even instructed Susan Hedge to tell lies in Court to double down to hide the "surprise" in front of Judge Williamson KC.

These acts of omission by Hedge, in court had been allegedly planned by Freeman for 7 months to avoid arguments in the trial.

There were many other significant issues that were unfavourable to Council's case that were

Index

removed at the start of the trial.

36. The reasons Dr Freeman chose to hide that unfavourable evidence has been allegedly -

- To avoid allegations by the CCC of systemic corrupt conduct by unlicenced Council employees (already happened).

- To evade criminal charges by the Crime and Corruption Commission to the unlicenced Council employees (now alleged by the CCC – no response by Freeman. No formal response by others)

- To protect the reputation of Council
- To protect the reputation of Kerrie Freeman
- To protect the reputation of Adrian Schrinner
- To avoid corruption charges against Dr Freeman and Cr Schrinner.

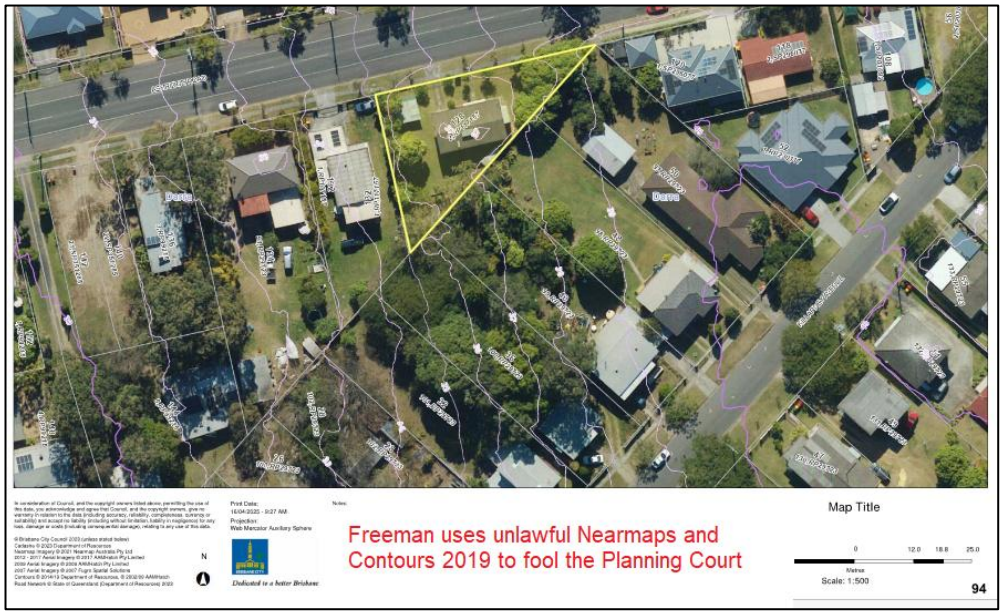
Finally

37. The above discussions are just examples of the Contempts of Court that Dr Freeman has responsibility for. The reader should read all of this Amended Application. There are up to 100 alleged contempts of court in this Amended Application in Proceeding Pending.

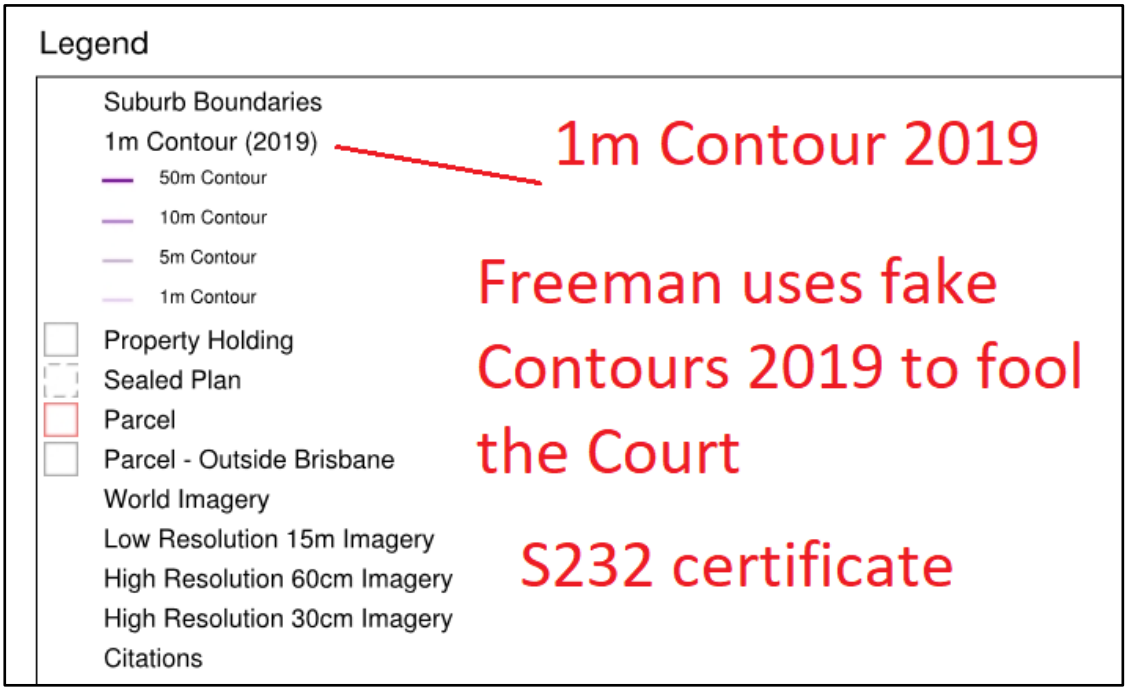
Wherever it is stated “Criminal Contempt of Court”, then Dr Freeman is either fully responsible or partially responsible for that contempt.

Freeman S232 certificate.

Dr Freeman supplied the above document in the S232 Certificate.



Index



Ground level **Freeman S232**	Ground level means— a. the level of the natural ground; or b. if the level of the natural ground has changed, the level lawfully changed. Editor's note—Section 1.7.5 provides that for the purpose of the definition of ground level in Schedule 1, the level of the natural ground is deemed to have been lawfully changed if the level of the natural ground level is the prescribed level.

Dr Freeman supplied the above document in the S232 Certificate.

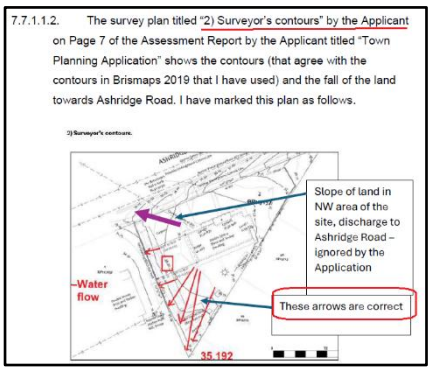
Dr Freeman allegedly chose to fool the Court by using –

- Nearmaps
- Contours 2019

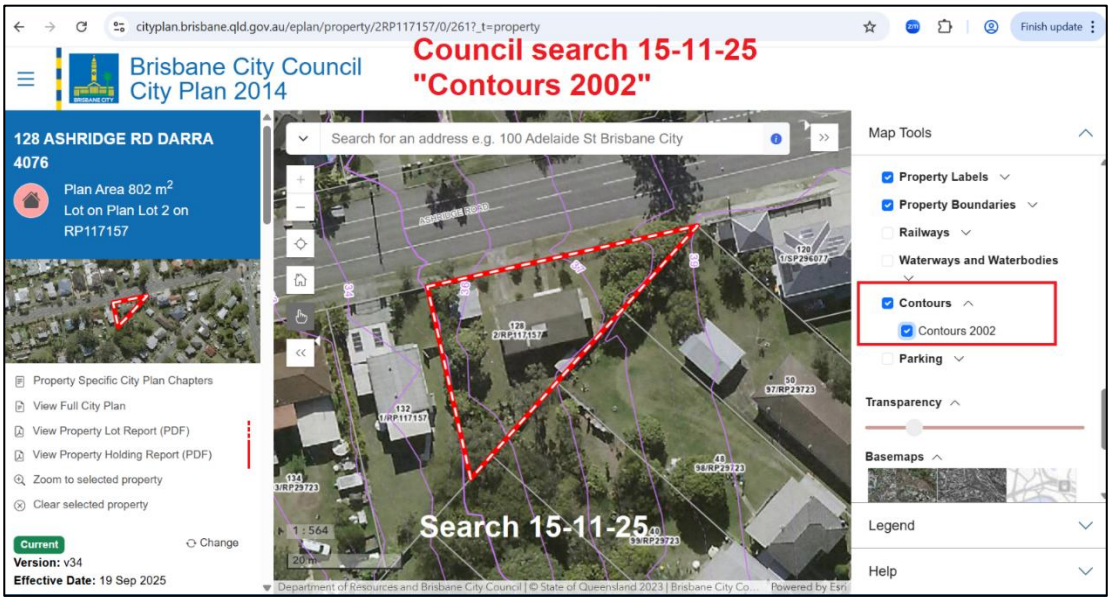
instead of Contours 2022

This is Contempt of Court by Dr Freeman. It is bordering on Fraud.

Prescribed level Council law **City Plan 2014**	The level of the surface of the land: a. existing at the time the original estate was subdivided and roads created through the estate as determined by a registered surveyor under the *Surveyors Act 2003* using best available evidence which is based on: i. the 'as constructed' drawings for the subdivision of the original estate lodged with the Council; or ii. if paragraph (a)(i) does not apply, the 2002 contours of the Council's mapping system; or b. that is the result of operational work carried out as a consequence of a material change of use or reconfiguring a lot, if: i. the material change of use or reconfiguring a lot was assessable development under the Council's planning scheme in effect between 1 January 2002 and the commencement of this planning scheme; and ii. the operational work accords with the following: A. the development approval for the material change of use or reconfiguring a lot; B. the development approval which approved the operational work. Editor's note—Section 1.7.5 provides that for the purpose of the definition of ground level in Schedule 1, the level of the natural ground is deemed to have been lawfully changed if the level of the natural ground level is the prescribed level.


7.7.1.1.2. The survey plan titled "2) Surveyor's contours" by the Applicant on Page 7 of the Assessment Report by the Applicant titled "Town Planning Application" shows the contours (that agree with the contours in Brismaps 2019 that I have used) and the fall of the land towards Ashridge Road. I have marked this plan as follows.

Index



Search of City Plan online by Manteit, 15-11-25, showing the lawful Contours 2002

Index

Outlook

Enquiry regarding Natural Ground Level

From CPEDS-DS-ManagersOffice <CPEDS-DS-ManagersOffice@Brisbane.qld.gov.au>
Date Thu 13/11/25 4:51 PM
To david manteit <davidmanteit@hotmail.com>

Good afternoon Mr Manteit,

Thank you for your enquiry regarding natural ground level.

Under *Brisbane City Plan 2014*, Natural Ground Level is defined as:

Ground level means —
a. *the level of the natural ground; or*
b. *if the level of the natural ground has changed, the level lawfully changed.*
Editor's note—Section 1.7.5 provides that for the purpose of the definition of ground level in Schedule 1, the level of the natural ground is deemed to have been lawfully changed if the level of the natural ground level is the prescribed level.

To the extent that you are seeking technical advice about a specific property, you should seek your own independent advice.

Kind regards,

General Manager's Office
Development Services | City Planning and Economic Development Services | **BRISBANE CITY COUNCIL**

Brisbane Square | 266 George Street, Brisbane, Qld 4000
Phone: 07-3403 8888

14-11-25 Freeman states to Manteit that the lawful contours are Contours 2002, not Nearmaps or Contours 2019

The contents of this email message and any attachments are intended only for the addressee and may be confidential, private or the subject of copyright. If you have received this email in error please notify Brisbane City Council, by replying to the sender or calling +61 7 3403 8888, and delete all copies of the e-mail and any attachments.

SECURITY LABEL: OFFICIAL

Index

Background

- **Dr Freeman** signed two S232 certificates as affidavits, on 24-4-25.
- The **signing** by **Dr Freeman** of the 2 certificates were 2 days after the extended Court order required date for the material to be filed.
- This is allegedly in contempt of Court
- The **filing** to the registry on 24-4-25 was 2 days after the extended date for the material to be filed.
- **Dr Freeman** provided Nearmaps and Contours 2019 as the lawful ground levels, when in fact contours 2002 is the lawful contours, if the surface levels of the original subdivision is not available.
- Contours 2002 is displayed online, on the Council website. “City Plan 2014 online”. Contours 2002 has been displayed since inception of the site. There has never been any other contours displayed on the website.
- **Dr Freeman** was aware that Manteit provided the ONF survey plan in the approval dated 12-7-25.
- Corrigan also stated that he used the unlawful Contours 2019, instead of lawful Contours 2002.
- **Dr Freeman** has allegedly deliberately attempted to deceive the Court by providing illegal contours to deceive the Court, which is contempt of Court

It is known that the Council employees never examined the Manteit supplied survey levels of 12-7-24.

Table of letters sent by Manteit requesting Council and Council employee engineering information in relation to Council engineered source documents, Manteit statements of Council flooding, Manteit request for easements.

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr,Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake,Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response

Index

21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
Total			**108 pages**	**No response**

Index

16. Failing by the Respondents to file and serve material to re relied on by the Court order date.

Alleged Contempt of Court

1. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that they have intentionally refused to file all material to be relied on for the trial, by the extended date of 22-4-25, as ordered by His Honour Judge Williamson KC, as stated in Court order paragraph 3, dated 14-4-25. Court doc 47.

2. It is a criminal contempt of court by Susan Hedge and Sara McCabe and all the Respondents to force His Honour Judge Williamson KC to have never read any of Schrinner Council material to be relied upon by the Respondents until 5 minutes before the end of the pretrial hearing on 24-4-25.

3. It is a criminal contempt of Court by all Respondents to offer His Honour Judge Williamson KC on 24-4-25 working copies, 5 minutes before the end of that hearing and therefore 5 minutes before the start of the trial, instead of filed copies.

Susan Hedge offered His Honour the working copies of material to be relied on for the trial, 5 hearing minutes before the trial, on 24-4-25 and did not offer His Honour any filed copies of material whatsoever. This is affecting court justice.

4. It is a criminal contempt of Court by Susan Hedge to have never offered His Honour a copy of any filed material to be relied on at any stage before the trial, including on 24-4-25.

5. It is a criminal Contempt of Court by all of the Respondents that the result was that the Respondents have intentionally thwarted and prejudiced Manteit's case.

6. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner, Dr Freeman, Sara McCabe and Susan Hedge to have intentionally **filed all court files to be relied upon for the trial 2916/24** outside the Court order of 14-4-25, so as to thwart and prejudice the prosecution by Manteit of his case.

This is an intentional and deceitful act by the Respondents to thwart the case of Manteit, the Appellant, by filing all material to be relied on for the case after 22-4-25.

7. It is contempt of Court by all the Respondents that **Dr Freeman intentionally** signed and filed two of her own affidavits on 24-4-25, in contempt of court.

The signing by **Dr Freeman** of Court documents 50 and 51 on 24/4/25 implies the flagrant contempt of the court in that the affidavits could have been signed weeks before 24/4/25, by Dr Freeman. This is another example of why the Contempt of Court is elevated from Civil to Criminal.

8. It is criminal contempt of Court that Susan Hedge and all the Respondents by an act of

omission for 7 months, deceitfully omitted to state to the Court at the hearings of 12/12/24,12/2/25 and 14/4/25 that the DA approved Upstream Drainage plans were illegally flooded 1.2m under the Ashridge Rd kerb and were of >76 L/s pipe velocity, causing the breaking the laws of gravity and many Council laws.

9. It is a criminal contempt of Court by Susan Hedge, Sara McCabe, Schrinner's Council, Cr Schrinner and Dr Freeman to seek continual extensions to file all material to be relied upon after the order date repeatedly. This is a Contumacious act.

10. It is a criminal contempt of Court by the Respondents in that Acts of omission have occurred on a grand scale, from 1-10-24, the date of the first letter to Council employees, to 30-4-25, the last day of the trial, as the Respondents refused to supply information on **their own source documents** to Manteit and the Court -

- The Respondents refused to respond to all Manteit requests for information regarding detail of the **surface level and invert level of their own Council employee authored DA approved Upstream Drainage red lines and pits** to Manteit, prior to the Notice of Appeal, 19/11/24, as required by UPCR reg 211 and common law.

- Cr Schrinner and Council employees refused to supply detail of the surface level and invert level of their own Council employee authored DA approved Upstream Drainage red lines and pits to Manteit, prior to the Notice of Appeal, 19/11/24. as outlines in the affidavits filed, and then until 24-4-25, five hearing minutes before the trial on 28-4-25.

- Cr Schrinner and the Council employees refused to supply detail of the Cr Schrinner **Council's easement** over their own authored DA approved Upstream Drainage lines to Manteit, prior to the Notice of Appeal and after the Notice of appeal.

- Cr Schrinner, Sara McCabe and Council employees refused to supply a copy of the DA approved **Council Easement document** to Manteit, prior to the Notice of Appeal and also after the Notice of appeal and prior to the trial, despite up to 200 requests for same.

- Cr Schrinner, Sara McCabe and Council employees refused to supply **detail of where fill is to be placed** on the lot, to Manteit, as required by Council in DA fill conditions 12,17,18 after the Notice of Appeal, until these fill conditions were removed on 31-1-25.

11. It is a criminal contempt of Court by the Respondents by thwarting and prejudicing of the prosecution by Manteit of his case by their acts of omission, by withholding with ulterior motives of -

- Thwarting and prejudicing Manteit's case, by dishonest and unlawful means.

- Hiding the incompetent and corrupt conduct of Council employees from the Crime and Corruption Commission, Manteit and the Brisbane public.

- Serving their own interests by protecting their own reputations and future imminent action by the Crime and Corruption Commission.

12. It is a criminal contempt of Court by Susan Hedge and Sara McCabe, by an act of omission for 7 months, since they have a **duty to the court** to be honest at all times in the Court , including

acts of omission and it is alleged they have breached their duty to the Court. They have allegedly not been honest to the court, for over 7 months, by withholding relevant information to Manteit's allegations regarding the Council's engineered source documents.

Shrinner's Council, Dr Freeman, Cr Schrinner, Susan Hedge and Sara McCabe **had every day since 2/9/24** to "come clean" on the facts of the case, including flooded pipes and timing of engineering submissions. On 2/9/24, Ting wrote to 12 Council employees inviting them to double check her "accurate" calculations.

13. It is a criminal contempt of Court by Dr Freeman and Cr Schrinner, by an act of omission for 7 months, to have failed to have audited their corrupt Council employees.

"All government agencies including the Council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff"

"The CCC Act goes further, and in S35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct"

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

Cr Schrinner and Dr Freeman and Council have intentionally chosen not to respond to a written request for information on 20/10/25 by Manteit for information prior to lodgement of a minor

Index

change application. $722 paid. Cr Schrinner and Dr Freeman have refused to refund, despite being promised.

Manteit has filed a court action to recover those monies. This is evidence of further actions to thwart any of Manteit's future Planning Court cases.

14. It is a criminal Contempt of Court by Cr Schrinner, as an act of omission, for 7 months, to have intentionally not to respond to a final warning by Manteit of court action, in a Manteit letter to him on 25-10-24.

15. It is a criminal contempt of court by Cr Schrinner, who has chosen not to respond to all correspondence sent to him, including five letters to him, from Manteit, prior to the Notice of Appeal, 19/11/25.

If Cr Schrinner had responded to any one of those letters, this Court case would never have been started.

16. Schrinner Council, Cr Schrinner and Dr Freeman have instructed Council employees to refuse to respond to all Manteit's requests for engineering information.

Background to this section

1. The elements of the offence a civil contempt were set out by Perram J in Re Group Pty Ltd v Kazal (right).

2. All of the elements of the offence of a civil contempt as stated in (i) to (iv) iby Perram J in RE Group PtyLtd V Kazal (No4) have been met

30. A civil contempt is a breach of a court's order or an undertaking. The elements of the offence of a civil contempt were set out by Perram J in *Re Group Pty Ltd v Kazal (No 4)*[27] as follows:

> "In a case of civil contempt, the Plaintiff must prove that:
>
> (i) an order was made by a court;
>
> (ii) the order was sufficiently clear such that one can be sure beyond reasonable doubt that the order was not complied with;
>
> (iii) the order was served on the alleged contemnor or that service was for some reason dispensed with under some lawful order;
>
> (iv) the alleged contemnor had knowledge of the terms of the order;

[26] Fox, above n15,1.
[27] [2017] FCA 1084 at [73] (Perram J).

6

23. Standard of proof

3. The standard of proof in this Application in Pending Proceeding is "beyond reasonable doubt"

4. There is no doubt that the Respondents failed to file and serve the Appellant by 22-4-25 with all material to be relied upon for the trial.

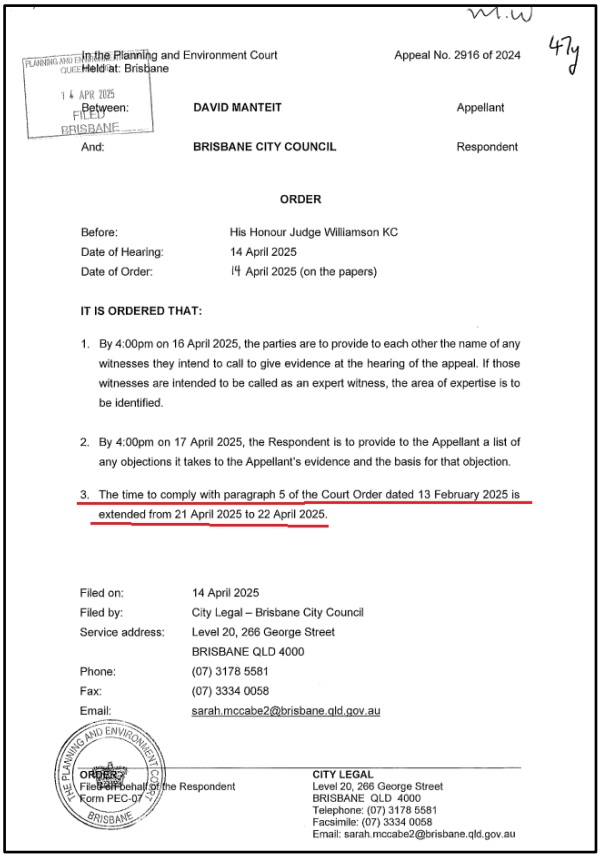
(a) Standard of proof

49. As outlined above, the standard of proof for both civil *and* criminal contempts is the criminal standard: beyond reasonable doubt.

50. In *Witham v Holloway*,[39] proceedings for civil contempt brought by a party in civil proceedings in the Equity Division of the NSW Supreme Court against another party had been found to be committed on the balance of probabilities. The Court (Brennan, Deane, Toohey and Gaudron JJ) held (at 534):

Index

5. Extract of the Court order 14-4-25.



In the Planning and Environment Court
Held at: Brisbane

Appeal No. 2916 of 2024

47

14 APR 2025
FILED
BRISBANE

Between: **DAVID MANTEIT** Appellant

And: **BRISBANE CITY COUNCIL** Respondent

ORDER

Before: His Honour Judge Williamson KC
Date of Hearing: 14 April 2025
Date of Order: 14 April 2025 (on the papers)

IT IS ORDERED THAT:

1. By 4:00pm on 16 April 2025, the parties are to provide to each other the name of any witnesses they intend to call to give evidence at the hearing of the appeal. If those witnesses are intended to be called as an expert witness, the area of expertise is to be identified.

2. By 4:00pm on 17 April 2025, the Respondent is to provide to the Appellant a list of any objections it takes to the Appellant's evidence and the basis for that objection.

3. The time to comply with paragraph 5 of the Court Order dated 13 February 2025 is extended from 21 April 2025 to 22 April 2025.

Filed on: 14 April 2025
Filed by: City Legal – Brisbane City Council
Service address: Level 20, 266 George Street
BRISBANE QLD 4000
Phone: (07) 3178 5581
Fax: (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

ORDER
Filed on behalf of the Respondent
Form PEC-07

CITY LEGAL
Level 20, 266 George Street
BRISBANE QLD 4000
Telephone: (07) 3178 5581
Facsimile: (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

44	23/04/2025	Affidavit	AD CORRIGAN & EXHS ADC-1	Respondent
45	23/04/2025	Affidavit	K RYAN & EXHS KR-1	Respondent
47	14/04/2025	Order	WILLIAMSON KC DCJ - 14.04.2025	Respondent
48	24/04/2025	Affidavit	of SJ McCABE & exh "SJM-1" - "SJM-3"	Respondent
49	24/04/2025	Affidavit	OF: S J MCCABE, EX SJM-4	Respondent
50	24/04/2025	Certificate	OF: K FREEMAN, EXS 1- 26 (VOLUME 1 OF 2)	Respondent
51	24/04/2025	Certificate	OF: K FREEMAN, EXS 27 - 29 (VOLUME 2 OF 2)	Respondent

Extract of Court file 30/11/25.

Schedule of dates of filing by the Respondent

Court document		Date required By order 14/4/25	Date filed by the Respondent, all in contempt of court.
		Date to comply	Date filed
Court document	44	22-4-25	23-4-25
Court document	45	22-4-25	23-4-25
Court document	48	22-4-25	24-4-25
Court document	49	22-4-25	24-4-25
Court document	50	22-4-25	24-4-25
Court document	51	22-4-25	24-4-25

Index

17. Withholding of engineering information of Council engineered source documents, to Manteit.

1. It is a criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to withhold engineering information to Manteit and the Court that were relevant to Manteit's allegations, which were alleged since letter to Council employees 1/10/24 and 13 other letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.

There was a plethora of the same flooded allegations and statements made by Manteit continuously in the 2916/24 proceeding verbally at trials and filed, commencing with the Notice of Appeal, right up to 30-4-25, at trial.

Table of letters sent by Manteit prior to the Notice of Appeal, requesting engineering information pertaining to -

- Council and Council employee engineered source documents.
- Manteit statements, calculations and warnings to Council of their flooded pipes, as of 1/10/24
- Manteit request for copy of, wording of and engineering of the Council prepared easement document as drawn in red on the plan and noted as 900mm wide, and required by Condition 7

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr, Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake, Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

Index

2. It is a criminal contempt of Court by Susan Hedge, as an act of omission, over 7 months, to appear before Judge Williamson KC on 12-12-24, 12-2-25 and 14-4-25, and failing to inform the Court that the RTI and DA approved Schrinner Council employee Upstream Drainage plans flooded 1.2m under Ashridge Rd

In addition Susan Hedge only informed His Honour of the Corrigan report, of which Susan Hedge accepts, evidencing the same flooding, 5 hearing minutes before the trial on 24-4-25.

Would cause serious nuisance flooding of around 410,000 litres per hour at the kerb and possible death to Darra residents as described in PSP 7.6.1 (1).

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

Inciting the owner to break Council and other laws –

- Newtons laws of gravity
- PSP 7.6.1(1)
- BSD 8111 min gradient <.5%
- S7.6.3.1 (2), Pipe velocity at kerb >76L/s,

- Inciting of the owner's RPEQ to lose his licence by preparing an unsatisfactory stormwater plan and being charged for unsatisfactory professional conduct under Schedule 2 of the Professional Engineers Act 2002.

- Causing Manteit potential rectification costs of around $150,000 to remove the Council and Council employee flooded pipe under Ashridge.

- Limiting Manteit to the Upstream Drainage pipe to that approved location to as compelled by S164 of the Planning Act thereby preventing Manteit from placing the pipes and easement in another location (assuming it complied with other laws and gravity).

- Deceitfully thwarting and prejudicing Manteit's ability to prosecute his case at trial, by dishonest and unlawful means.

3. It is a criminal contempt of Court by Susan Hedge, by an act of omission, over 7 months, to appear before Judge Williamson KC on 12-12-24,12-2-25, 14-4-25 and 24-4-25 and fail to inform the Court that the RTI and DA approved Schrinner Council employee Onsite Drainage plan red lines would -

- Incite the breaking of Council laws PSP7.6.2(3), BSB 8113 by being 5.1m up from the low side of the kerb
- Force Manteit to raise of the house pad by .5m, costing an additional $172k to correct.

When they were removed 5 minutes into the hearing on 28-4-25.

It is not a defence to have a low IQ. Any person of normal IQ would have known within 30 seconds that the pipes flood 1.2m.

Index

Manteit had advised 6 Council employees on 10/10/24, that their Upstream Drainage pipes flood, with cross-sections.

4. It is a criminal contempt of Court, as an act of omission for 7 months, by all the Respondents to refuse to disclose relevant information regarding on Council and Council employee engineered and authored source documents, to Manteit (both as DA applicant and DA Appellant) and this court, since those actions have caused serious consequences to Manteit's prosecution of his case.

All Respondents have had their chances in Court Hearings every single over 7 months, to come clean and provide those requested Council and Council employee engineered documents to Manteit and the Court. But they never did, but they should have.

Background of this section

1. **What is different about the requirement for Schrinner Council and Council employees to respond to information requests by Manteit, compared to all other known Council DA approved Council red line notations, in all other Planning Court cases?.**

- **Council and Council employees were the author of the engineered source documents, not Manteit.**
- **Council had control of the documents and the engineering of those source documents, not Manteit**
- **An RPEQ engineer was required to engineer those documents**
- **There are obligations to disclose those documents to others including Manteit**

2. The RTI and DA approved stormwater red lines and fill conditions in the DA approval all required **engineering** by the Council and Council employees.

3. Any change to a red line or conditions requires a **S81 application** to the Planning Court, as per S164, by Manteit, not just a tick at the end by an BCMT Council worker.

4. Any deviation by Manteit or RPEQ engineer from the Council approval would incur a **$751,000 fine under S164** of the Planning Act.

5. Manteit RPEQ engineer would **lose his licence** if he designed the flooded 1.2m under Ashridge Rd RTI or DA approved Upstream drainage plans.

6. Manteit would incur **$172,000 cost** to raise the building pad by .5m to support the building of two houses, since the private certifier is bound by the DA approval location of the kerb adaptor, not the low side of the kerb. (Notice of Appeal).

Index

7. Judge Williamson KC stated on 30-4-25 that even if there was a "solution" and it worked it would not be generally in accordance with the DA approved plans and because of the consequences of easement placing.

Additional

8.The engineering documents are **authored by Council** and Council employees, not Manteit.

9. This case A006565555 was the **only one in 412 Council DA approved cases** in the calendar year that Council and Council employees became engineering authors, licenced or unlicenced.(Manteit audit, filed)

10. This court may never have seen another case in which Council have become engineering authors and therefore the requirement of RPEQ calculations and signoff. Whilst Councils may have thousands of expert engineering opinions in a Planning Court case, there may have never been a Planning Court case where a Council has become an engineering author.

11. The documents of which information were sought by Manteit were an **engineered document**, not just matters simply of opinion such as in a **non-engineered document**. Eg,

- How much Gross Floor area
- What are the shadows.
- How many floors
- How much landscaping

Ryan (Council Town Planner) deceptively states in his report (filed 23/4/25 in contempt)

- Example of **facades** (no RPEQ engineering required)
- Example of **landscaping** (no RPEQ engineering required)
- Location of **easement** -

23-4-25 Ryan report - red lines

All Ryan examples are not Council engineered

(d) Examples of modification to approved plans include:

i. Requirements for amended facades on buildings. In these circumstances Council may not support the existing building façade design, but rather than delay a decision on an application they are content to approve a different design prior to building approval.

ii. Requirements for additional or different landscaping. Similar to the above, Council may not support the submitted landscape design, but are content to receive a revised design prior to building approval.

iii. Requirements for an easement to be shown over infrastructure. In this example, Council may modify a plan to show the location and/or width of an easement (for example over a driveway) to enforce and clarify a requirement of a condition.

12. Manteit wrote 27 questions to Council employees regarding easements on 1/10/24 with no reply. No response. The Lord Mayor Cr Schrinner was also asked to respond. No response.

Ryan's words have been refuted by His Honour's words on 30-4-25, whilst responding to Susan Hedge allegation that a pipe could go anywhere in the middle of the lot.

Susan Hedge – "I accept that."

Index

30-4-25

Judge Williamson KC

Sorry, I'm not suggesting it, but I have to say, I'm not sure it's as fluid.

It has fluidity, but I'm not sure the red line, by calling it indicative and generally in accordance, in effect opened the door to a whole array of solutions.

And the reason I say that is because generally in accordance with would be assessed by reference to the consequences of the change.

And the consequences of the change made it more difficult for easements, and the like. That would be a reason why a solution, even though it worked, would not be generally in accordance with the indicative line shown on the plan.

I don't think it's as easy as saying, look, this is one way, but if you don't do that, there's many other ways.

Because as soon as a line is drawn on a plan and generally in accordance with, unless there's something in the condition that makes it very clear, and I don't think indicative in and of itself gives much more than generally in accordance with,

There's some flexibility, but it's not open slather.

Susan Hedge

I accept that.

13. Ryan stated to the Court in the witness box that Brisbane Planning Scheme Policies were outside his expertise, on 28/4/25.

David Manteit

We're not reading it out, but have you ever known council to support lot-based stormwater detention facilities in a residential subdivision on, I will read it out a bit, on freehold lots at all in your experience? And if you have, could you give me the address?

Ryan - "I don't recall examples where they did or didn't"

Keiran Ryan

I don't recall examples where they did or didn't, I'm sorry. I think anything, and so, as a town planner, we would normally defer these matters across to the development engineer when it comes to a development application, either assessing or lodging. So, I can't give you examples where they were, and I can't give you examples where they are not. I'm not trying to be unhelpful, but again, I think matters, particularly within this planning scheme policy, I think are largely matters outside my expertise.

Ryan - "matters, particularly within this planning scheme policy, I thnk are largely matters outside my expertise"

29-4-25 **"I don't thing I can assist with that question. Its a matter of engineering design"**

Keiran Ryan

I'm sorry, I don't think I can assist with that question because it's a matter of engineering design, which is outside my expertise.

David Manteit

Right, that's sort of, because there are other ones there, I don't want to bore you to tears, coefficient, you know, it's in the town plan. So, would you say that anything with a number from the town plan that you can't assist?

"I can't assist. ..is a matter of engineering"

Keiran Ryan

No, I wouldn't say anything with a number I can't assist, but this section that you've taken me to is a matter of detailed engineering design that I can't assist with.

Index

14. None of the Respondents had ever once responded to any request/letter by Manteit for information on Council and Council employee authored engineered documents, from 1/10/24 to 28/4/25, inclusive.

15. Over 15 letters and 200 pages of requests for engineering information were made to Lord Mayor, Council employees and City Legal prior to Notice of Appeal –

16. Table of letters sent to the following persons requesting Council and Council employee engineering information of their own engineering source documents. Court docs 73 & 74, filed 14-1-26

Date	Court doc	Item	No. pages	Outcome
1/10/24	73	Letter to Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24 emailed 11/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake,Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

(a) **RPEQ engineering detail** about the Council employee engineered and authored **RTI illegally flooded Upstream Drainage and Onsite Drainage** red lines, surface levels and invert levels and invert levels of pipes and pits and wording of Condition 18 requiring Manteit to construct pipes until the filing of the Corrigan report, on 23/4/25, in contempt.

(b) RPEQ **engineering detail** about the Council employee engineered and authored DA approved **illegally flooded Upstream Drainage and Onsite Drainage** red lines, surface levels and invert

Index

levels and invert levels of pipes and pits and wording of Condition 18 requiring Manteit to construct pipes ever.

(c) **RPEQ engineering detail** about the Council employee engineered and authored **RTI Onsite Drainage** red lines, surface levels and invert levels and invert levels of pipes and pits, ever.

(d) **RPEQ engineering detail** about the Council employee engineered and authored DA approved **Onsite Drainage and Onsite Drainage** red lines, surface levels and invert levels and invert levels of pipes and pits until the filing of the Corrigan report, on 23/4/25, in contempt of court.

(e) **RPEQ engineering detail** about the Council employee engineered and authored DA approved **Fill Conditions** as per condition 12,17,18.

(f) Timing of submitting of **RPEQ engineered plans** by the Applicant as per condition 18.

(g) Copy of **easement documentation** and information pertaining to the easement as engineered by the Council employees and Council.

(h) Details of what person was the Council RPEQ who engineered and authored the Upstream Drainage, Onsite Drainage and fill conditions.

17. There was over 13 letters and 108 pages of requests to Lord Mayor, Council employees and City Legal for engineering information made by Manteit. Manteit also made many statements about that engineering to these persons.

18. The responses were requested by Manteit to the following persons -

Specific requests by Manteit in letters as contained within filed documents to this court to -

- **The Lord Mayor Adrian Cr Schrinner**
- **Brisbane City Council - (CEO Kerrie Dr Freeman)**
- **City Legal**
- **Sara Sara McCabe**
- **Margaret Orr**
- **Zarndra Piper**
- **Lucy Ting**
- **Joel Wake**
- **Scott Ruhland**
- **Tom Gibbs**

19. There was a request made by The Crime and Corruption Commission to Council (Cr Schrinner and Dr Freeman) on 25-9-25.

(No formal response yet made by Cr Schrinner or Dr Freeman).

20. There are implicit requirements under certain laws and professional standards requiring that engineering information is not unsatisfactory conduct and corrupt by engineers or unlicenced engineers -

- RPEQ professional misconduct standards, under Schedule 2 of the Professional Engineers

Index

Act, 2001

- S115 of the Professional Engineers Act 2002 – unlicenced engineers
- Corrupt conduct law - S 15 (1) of the CCC Act 2001 – unlicenced engineers
- UPCR rules reg 211 and other UPCR rules.
- Common Law
- Duty by a solicitor to disclose unfavourable documents as their duty to the court.

21. Consequences of Council and Council employees refusing to supply information on Council engineered and authored documents.

22. Unnecessary Notice of Appeal dated 19/11/24

Manteit would never have made and Appeal to this Court if the Council employees, Cr Schrinner of Sara McCabe had responded perhaps even once to letter as filed, by Manteit, for information prior to the Notice of Appeal dated 19/11/24.

23. Wasting of ratepayers money (now estimated to be upwards of $300,000).

Those parties were warned many times of the consequences to Council and Manteit of –

24. The motives behind the refusing to supply information on Council engineered and authored documents

The motives behind Council and others not responding are clear –

25. Reputation

The Council employees who authored the engineered documents would have been caught out for incompetence, affecting not only their **reputation** but the reputation of the Lord Mayor Adrian Cr Schrinner, Schrinner Council and Kerrie Dr Freeman.

26. Crime and Conduct Commission

It was made well clear, by Manteit, as in filed affidavits could have (*and now have*) been the consequences of being charged for corrupt conduct for unlicenced engineering by the CCC, example letter by the CCC to Manteit on 17-9-25.

27. Board of Professional Engineers

It was made well clear, as in filed affidavits of the consequences of Council employees being charged for unlicenced engineering engineering and/or documents not being RPEQ certified.

It was made well clear, as in filed affidavits of the consequences of Council employees being charged for unsatisfactory professional conduct due to incompetent engineering.

Index

28. Manteit costs and damages

Manteit has given several warnings to Council as filed of his costs and damages incurred as a result of refusing to supply information.

Index

18. Right to Information document supplied by Schrinner Council Court document 27 filed 27/3/25.

Schrinner Council employee flooded plans No. 1 & 2.

Alleged Contempt of Court

1. It is contempt of Court by act of omission for 7 months, by all the Respondents to have intentionally withheld relevant Council engineered source document information from Manteit, including that the RTI Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd kerb, and were >76 L/s at the kerb, and would have caused nuisance flooding and possible death.

The relevant information being that the Schrinner Council employee engineered and authored non-RPEQ certified Upstream Drainage plans as drawn in the RTI (Right to information) documents were -

- The Upstream Drainage pipes flooded 1.2m under the Ashridge Rd kerb
- The Upstream Drainage pipes were illegal pipe velocity at the kerb of >76 L/s.
- The Upstream Drainage pipes were of undersized pipe 225mm

2. It is a criminal Contempt of Court by act of omission, for 7 months, by Cr Schrinner and Dr Freeman to withhold information that unlicenced Council employees had performed engineering services, as evidenced in the RTI report, without informing the Crime and Corruption Commission.

3. It is a criminal contempt of Court, by act of omission for 7 months by the Respondents, City Legal and Council employees, to refuse to respond to all Manteit requests for information on their Council engineered RTI Upstream Drainage source documents, between 1/10/24 and 24-4-25.

4. It is Contempt of Court by act of omission for 7 months by the Respondents to **withhold information** from the Court and Manteit (DA Applicant and Court Appellant) that the illegal RTI flooded Upstream Drainage plans would cause 410,000 litres **per hour nuisance flooding at the kerb and would be a danger to the residents of Darra, causing loss of life.**

5. It is a criminal contempt of Court by act of omission for 7 months by Schrinner Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe, by act of omission, to **withhold information** from Manteit from 1/10/24 until 24-4-25 from that the Schrinner Council RTI Schrinner Council employee engineered and authored Upstream Drainage **pipes flooded 1.2m below Ashridge Rd kerb.**

The Respondents knew that the Upstream Drainage pipes were flooded at the latest by 2/9/24, being the date that Ting told around 12 Council employees that the Council employee plans were accurate and would be sent to Blake for final approval.

6. It is a criminal contempt of Court by the Respondents, of an act of omission for 7 months, to intentionally **deceive the Cour**t for 7 months by hiding the flooding of RTI approved Upstream Drainage pipes being 1.2m under the kerb

The Respondents hid the Council engineered employee authored pipe flooded information from the Court until 24-4-25, only 5 hearing minutes before the trial.

Index

6. It is a criminal contempt of Court by Ms Freeman and Cr Schrinner that they refused to dutifully state to Court that systemic **corrupt employee conduct had taken place**, by unlicenced Council employee engineering, caught by S15(1) of the Crime and Corruption Act, **as alleged by the Crime and Corruption Commission, in a letter to Manteit on 17/9/25.**

7. It is a criminal contempt of Court by act of omission, by all the Respondents that all Respondents failed to notify the Court of relevant information to the court that the Upstream Drainage pipes as shown on the RTI plans would cause **major flooding of over 410,000 litres per hour to the residents of Darra** and would endanger lives, as per PSP 7.6.1(1).

8. It is a criminal contempt of Court by act of omission, for 7 months, by all the Respondents, that due to their failure to notify the Court nor Manteit at any time to date that the Upstream Drainage plans as shown on the RTI plans were illegal and non-compliant with -

Newtons laws of gravity (flooded 1.2m)
PSP 7.6.3 (1) and (2) Pipe velocity at kerb >76 L/s for entire development
BSD 8113 Pipe velocity at kerb >76 L/s for entire development
BSD 8111 pipe gradient not min .5% (flooded)
PSP 7.6.1 No lawful point of discharge obtained.
Illegal trespass into 3 properties.
Falsified plan with 4 fake lot numbers
Lot 101 not adjoining the subject site.

9. It is a criminal contempt of Court by act of omission for Dr Freeman and Cr Schrinner not to audit both the RTI and the DA approved Drainage plan to find out whether they flooded or not.

10. It is a criminal contempt of Court by act of omission by Dr Freeman and Cr Schrinner to fail to audit the RTI plan to prevent fraudulent lot numbers being placed on the plan with a fictitious Lot 101 that did not adjoin the subject lot.

RTI records including Schrinner Council flooded plan 1. Upstream Drainage plan.

1. The RTI records were supplied by David Simons Senior Information and Policy Officer on 11-2 25 to Manteit.(filed).

2. The corrupt Schrinner Council unlicenced employees (**as per allegations made by the Crime and Corruption Commission o 17-9-25)** prepared Upstream Drainage plans that will flood the residents of Darra of around 410,000 litres per hour at the kerb.

3. The Schrinner Council has paid up to $300,000 of Brisbane ratepayers money for the preparation 8 flooded stormwater plans, overall, including the RTI Upstream Drainage stormwater plans.

4. The RTI Upstream Drainage plans were intentionally flooded by the Council employees being 1.2m under the Ashridge Rd kerb and were illegal >76 L/s pipe velocity.

The RTI Upstream Drainage plans were non-compliant with -

Newtons laws of gravity (flooded 1.2m)

Index

PSP 7.6.3 (1) and (2) Pipe velocity at kerb >76 L/s for entire development
BSD 8113 Pipe velocity at kerb >76 L/s for entire development
BSD 8111 pipe gradient not min .5% (flooded)
PSP 7.6.1 No lawful point of discharge obtained.
Illegal trespass into 3 properties.
Falsified plan with 4 fake lot numbers
Lot 101 not adjoining the subject site.

5. Cr Schrinner and Dr Freeman are responsible for the performance and behaviour of their own Council employees, especially since the improper actions were over a long period of time (7 months since 2/9/24) and that they refused to respond to all requests for information from Manteit (DA applicant and Court Appellant).

6. The **Crime and Corruption Commission states that the CEO's are responsible** for their own employees and employee corruption. Therefore Cr Schrinner and Dr Freeman are responsible for their employees actions and are in contempt of Court by refusing to supply Manteit with information on their own authored 81 metres of pipes, pits and kerb adaptors.

7. The Upstream Drainage plans would have caused major nuisance flooding to th residents of 410,000 litres of flooded water per hour.

8. All Respondents failed to advise the Court that the Council employee **Onsite Drainage plans** provide for a kerb adaptor 5.1m up from the low side of the kerb not in compliant with

- BSD 8111
- PSP 7.6.2 (3).

9. It has been demonstrated by Manteiit that Schrinner Council, Cr Schrinner and Dr Freeman instructed the Council employee plans to flood the nearby residents of Darra of 128 Ashridge Rd Darra twice –

Firstly - As displayed in the Right to Information Plan, RTI plan prepared 12/7/24 to 25/9/24
Secondly - As displayed in the DA approved plan 25-9-24

- The Upstream Drainage pipes shown as red lines are 61 metres of pipes, 4 pits and one kerb adaptor.

- A sham rear right triangle has been installed by the unlicenced Council employees to intentionally hide and reduce the depth of the Council employees' flooding.

- The DA approved Upstream Drainage pipe is flooded 1.2m under the Ashridge Rd kerb.

- Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe were aware that the Upstream Drainage pipes were flooded, since 2-9-24 when Ting sent email to 12 Council employees to double check her "accurate" calculations. (But actually were flooded 1.2m under the Ashridge Rd kerb).

The Respondents were well aware that the Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd Kerb due to Manteit letter to Council/City Legal, of 10-10-24 (Court doc 15, filed 4-12-24)

Index

Secondly – DA approved plans

10. There were between 7-13 unlicenced Council employees who prepared a flooded non-RPEQ certified Upstream Drainage Plan

11. There were between 7-13 unlicenced Council employees who prepared an illegal Onsite Drainage Plan

12. Unlicenced Council employees performed corrupt hydraulic engineering services

13. Schrinner Council instructed the Council employees to unlawfully not to place any RPEQ name or number stated by any Schrinner Council employee. Law broken Schedule 2 of the Professional Engineers Act 2002. This can be a criminal offence.
`

14. The unlicenced Council employees used this Upstream Drainage plan as practice for the DA approved plan Upstream Drainage plan dated 25-9-24.

15. The unlicenced Council employees are of such low IQ that they had two chances to work out that their red Upstream Drainage pipe was flooded. They still produced a DA approved flooded Upstream Drainage stormwater plan, despite knowing full well that the draft plan was flooded. 13 Council employees check for flooding of their pipes, twice.

16. The Schrinner Council employees produced a flooded plan twice within 60 days. The Schrinner Council employee incompetence is astounding. Cr Schrinner and Dr Freeman are responsible for that incompetence to the ratepayers and residents of Brisbane for

- Flooding of residents of Darra
- The ratepayers money.

17. The RTI Upstream Drainage plan is almost identical to the DA approved plan A006565555, dated 25-9-24. It also shows 3 pipes traversing neighbour's yards, inviting a criminal offence.

18. The unlicenced Council employees fraudulently stated **four fictitious lot numbers on the RTI plan. Lots 98, 99, 100, 101.**

19. The Schrinner Council employees placed 3 pipes into neighbour's yards, causing trespass.

20. Using fictitious lot numbers is a criminal offence. Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe are aware of this fact.

21. The unlicenced Council employees fraudulently stated a **fictitious lot 101** that does not adjoin 128 Ashridge Rd Darra whatsoever. This is a criminal offence. Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe are aware of this fact.

22. There was no other file in the calendar year of 2024 filed audit of 412 DA approved cases, showed 67 Upstream Upstream Drainage cases where Council had become fake engineers and placed red hydraulic lines on the DA approval.

23. No RPEQ name or number was stated by any Schrinner Council employee. Law broken Schedule 2 of the Professional Engineers Act 2002. This can be a criminal offence.

Index

24. The unlicenced Council employees are that incompetent that 13 Council employees had two chances to work out that their red Upstream Drainage pipe was flooded. They still produced a DA approved flooded Upstream Drainage stormwater plan, despite knowing full well that the draft plan was flooded.

25. The unlicenced Council employees produced a flooded plan twice within 60 days. The Schrinner Council employee incompetence is astounding. Cr Schrinner and Dr Freeman are responsible for that incompetence to the ratepayers and residents of Brisbane for

26. Flooding of residents

27. The ratepayers money.

28. The RTI Upstream Drainage plan is almost identical to the DA approved plan A006565555, dated 25-9-24. It also shows 3 pipes traversing neighbour's yards, inviting a criminal offence.

29. The unlicenced Council employees fraudulently stated **four fictitious lot numbers on the RTI plan. Lots 98, 99, 100, 101.**

30. This is a criminal offence. Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe are aware of this fact.

31. The unlicenced Council employees fraudulently stated a **fictitious lot 101** that does not adjoin 128 Ashridge Rd Darra whatsoever. This is a criminal offence. Council, Cr Schrinner, Dr Freeman, Susan Hedge and Sara McCabe are aware of this fact.

32. The Upstream Drainage pipes shown as red lines are 61 metres long, including 4 pits and one kerb adaptor.

33. A sham rear right triangle has been installed by the unlicenced Council employees to intentionally hide and reduce the depth of the Council employees' flooding.

34. The Respondents were aware that the Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd Kerb since Manteit letter to Council/City Legal, of 10-10-24 (filed document xxx)

37. The Council employees **broke many of their own Council laws** and other laws in the process -

- Contravention of all stormwater benchmarks
- Contravention of all acceptable outcomes of the Stormwater Code.
- Contravention of all Chapter 7 stormwater code laws
- Contravention of PSP 7.6.3.1 (2) – over 30 L/s
- Contravention of PSP &.6.3.1 (1) – over 30L/s for the entire development
- Contravention of S7.6.1 – no lawful point of discharge
- Contravention of BSD 8111 - numerous
- Contravention of BSD 8113 - numerous
- Contravention of S164 Planning Act 2016, causing fines of $751,000
- Causing the loss of licence to my private RPEQ engineer and fine of $751,000
- Causing the loss of licence to my private plumber and fine of $751,000

Index

- Contravention of Table.
- Contravention of S15(1) of the Crime and Corruption Act 2001 – corrupt conduct
- Contravention of S115 (1) of the Professional Engineers Act 2002 – unlicenced engineer
- Contravention of Schedule 2 of the Professional Engineers Act 2002, being unsatisfactory conduct, that of a professional engineer
- Trespass into 3 neighbour's properties.

38. The 13 Council employees that prepared the illegal flooded RTI and DA approved Upstream Drainage plans that would flood Darra with 1.6 million litres of water a day are –

1. Lucy Ting
2. Andrew Blake
3. Margaret Orr
4. Darren Evans
5. Beau Reichert
6. George Kaithakkottil
7. Joel Wake
8. Zarndra Piper
9. Scott Ruhland
10. Emma Mezzina
11. Brendan Gillham

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

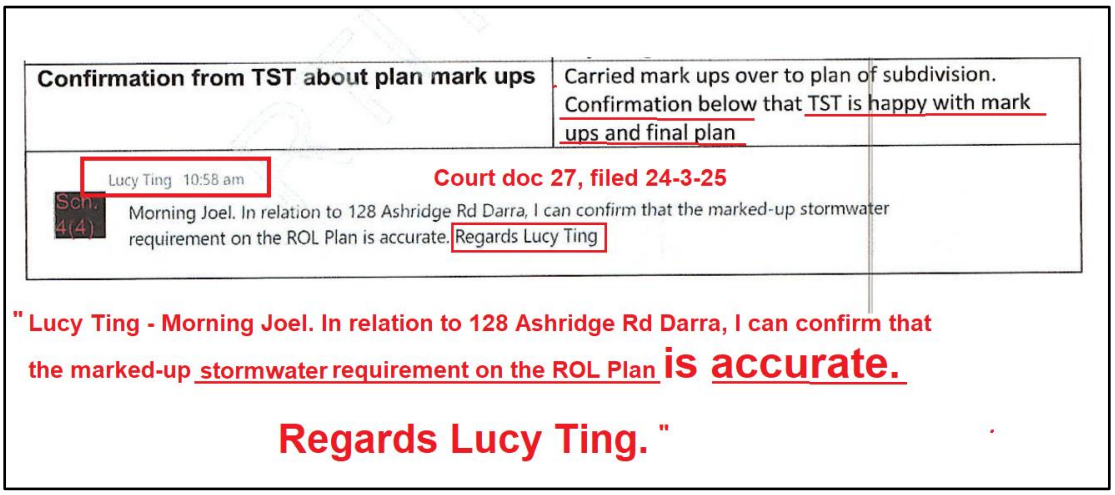
Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage mino condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services
City Planning & Sustainability I BRISBANE CITY COUNCIL

Brisbane Square | 266 George Street BRISBANE QLD 4000
Phone: 07 3403 5005 | Fax: 07 3403 4291
Email: lucy.ting@brisbane.qld.gov.au

39. This RTI Upstream Drainage Plan was shown in the Brisbane City Council Right to information document voluntarily provided by Brisbane City Council to David Manteit, Court filed document 27, 2916/24.

40. The RTI records demonstrates that many of the above Council employees have performed unlicenced engineering and calculations, as per S15(1) of the CCC Act 2001 and S115(1) of the Professional Engineers Act 2002.



Confirmation from TST about plan mark ups	Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Lucy Ting 10:58 am
Sch. 4(4)
Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate. Regards Lucy Ting

Court doc 27, filed 24-3-25

" Lucy Ting - Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan **is accurate.**

Regards Lucy Ting. "

Index

41. Schrinner Council, Cr Schrinner and Dr Freeman have paid around $300,000 of Brisbane ratepayers' rates money to protect the allegedly fraudulent and incompetent Council employees like Lucy Ting, when this was unnecessary if they responded to Manteit's letters prior to any Court case.

42. Manteit rang Ting on 9/10/24 and asked her for the Upstream Drainage pipe levels. Ting hung up the phone to Manteit after 30 seconds.

43. Any eighth grade student could see within 30 seconds of examination of the RTI Upstream Drainage Plans the Schrinner Council, Cr Schrinner and Dr Freeman instructed Upstream Drainage Plan was flooded by 1.2m under Ashridge Rd.

But these Council employee incompetent persons like Lucy Ting, prepared two flooded Upstream Drainage plans - not just once, but twice, within 60 days of DA application dated, 12-7-24.

46. Manteit ticked the box on 12-7-24 stating that he would accept an information request.

47. The Right to Information records were voluntarily supplied from the Brisbane City Council Right to Information Team to Manteit. Court document 27.

48. The RTI records detail the activities of 13 unlicenced Council employees who assessed the file A006565555 from 12/7/24 to 25/9/24.

Refer – Sott Ruhland – 3-9-24 - "If there are any further questions regarding this application, see me.

Index

Advice type – "Engineering"

Above – from records voluntarily provided by Brisbane City Council Right to information Team to Manteit

42. Council, Cr Schrinner and Dr Freeman and instructed 7-10 unlicenced RPEQ Council employees to design and engineer an illegal, flooded Upstream Drainage plan. This Upstream and Onsite Drainage plan is displayed in Court document 27.

Scott Ruhland unlicenced engineer – "If there are any engineering questions regarding this application please see me."

Work Request

Assigned To: RUHLAND, Scott — From Date: 20 August 2024

Due Date: 3 September 2024 — Completed: Y — Actual Date: 3 September 2024

Request Type: Advice

Advice Type: Engineering

Key Issues: Hi Scott,
As discussed, sending this back for confirmation on the upstream connection and a review of the retaining wall / filling requirements.
Thanks,
Joel

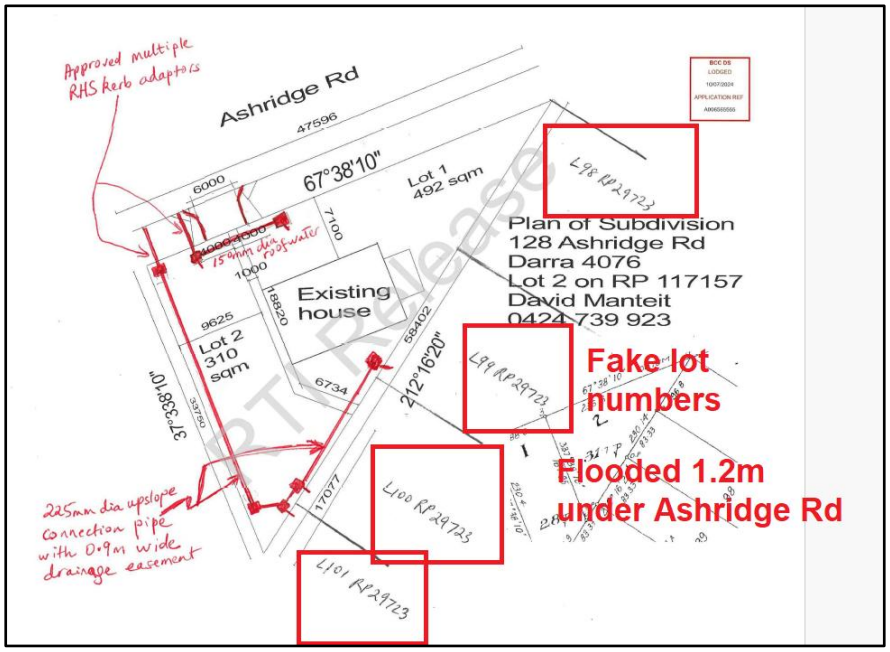
Work Request Outcome: Completed

Action Taken: Hi Joel,
ENG Conditions entered in accordance with TST-Traffic and TST-Hydraulics advice where applicable. Stormwater Drainage Plan uploaded to EXT Docs for approval.
If there are any further Engineering questions regarding this application, please see me.
Cheers,
Scott

Above – Right to Information - extract of unlicenced engineer Scott Ruhland

1. Scott Ruhland "Stormwater Drainage plan uploaded to EXT docs for approval" Ruhland was aked to review Upstream Drainage.

Scott Ruhland – "If there are any further questions regarding this application, please see me"



Above – from records voluntarily provided by Brisbane City Council Right to information Team to Manteit, Court document 27

43. The Upstream Drainage pipe has an Illegal flow velocity at the kerb of over 76 L/s, being over 30 L/s, as agreed by Susan Hedge, Civil Works and Corrigan, in contravention of PSP S7.6.3.1 (2).

7.6.3.1 Connection to kerb and channel

(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

PSP S7.6.3.1(2) " *for a development that is a "a material change of use , ….Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30 L/s."*

Index

44. Flow velocity based on Civil Works based on conservative 60% roof cover

Civil Works report 31-3-25

Lot 98 **Lot 99**

38 litres per second = > 30 l/s 38 litres per second = > 30 l/s

Total flow at kerb - 38 litres per second * 2 = **76 litres per second.**

This velocity of 76 L/s is greater than 30 litres/second at the kerb as per S7.6.3.1 (2)

Catchment	Q_1 (m^3/s)	Q_2 (m^3/s)	Q_5 (m^3/s)	Q_{10} (m^3/s)	Q_{20} (m^3/s)	Q_{50} (m^3/s)	Q_{100} (m^3/s)
Existing Site	0.014	0.019	0.026	0.031	0.038	0.049	0.054

Civil Works report

Upstream Drainage flooding of 1.2m as stated by Civil Works filed 31-3-25

Diagram 3: Stormwater schematic based on Council's approved sketch with minimum cover

It will result in a charged system with an approximate drop of 1.181m between the internal network and the kerb outlet resulting in a charged system that would be inefficient.

Upstream Drainage flooding of 1.2m as stated by Corrigan 22-4-25

45. Corrigan confirmed in his report filed 23-4-25 that the unlicenced Council employee plan would end up 1.2m under the kerb.

46. Any child over 8 years of age would have known that would happen as stated in the Notice of Appeal, by Manteit, dated 19-11-25 that the pipes would end up 1.2m under the kerb.

9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers. However, in my experience, a stormwater designing civil engineer would move to a design such as in my **Attachment D** which does achieve the necessary levels.

Index

22-4-25 9.11.1.1. A longer pipe has a greater fall and greater depth than a shorter route. In the case of the long route, the depth of the pipe becomes too deep to discharge to the Ashridge Road kerb (as correctly identified by Civil Works Engineers).

Whistleblower witness - pipes are too deep under the Ashridge Rd kerb.

47. Flooding of Upstream Drainage pipes of 1.2m under Ashridge Rd, as confirmed by Susan Hedge 24-4-25, of the DA approved plan, being almost identical to the RTI plan.

"Can I just put all the cards on the table to assist, Your Honour?"

"It doesn't work"
"It wont work"

24-4-25 Susan Hedge - "can I just put all the cards on the table to assist, Your Honour?"

SUSAN HEDGE

So, less than the trigger for accessible development. And perhaps, can I just put all the cards on the table to assist, Your Honour?

JUDGE WILLIAMSON

Sure

48. The Upstream Drainage pipes would cause nuisance flooding to Darra residents of 410,000 litres/hr. Schrinner Council, Dr Freeman and Cr Schrinner and Susan Hedge have been aware of that.

49. The Upstream Drainage plan are In contravention of BSD 8111. *"The permitted total discharge from the development to kerb and channel including contribution from and external catchment must not exceed 30 L/s"*

24-4-25 Hedge "It won't work"

SUSAN HEDGE

Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Hedge - "that won't work"

JUDGE WILLIAMSON

Okay. Well there we go.

Judge Williamson KC - "Well there we go "

SUSAN HEDGE

That's Civil Works Engineers. That's the letter. Yes.

Mr. Corrigan agrees that where that red line is, like if you take a literal interpretation of what is in fact an indicative drawing, then that will not work.

"then that won't work"

He's identified two other ways that you can achieve the outcome of the condition, which is to provide upslope drainage.

Hedge - "He's identified two other ways that you can achieve the ....condition."

JUDGE WILLIAMSON

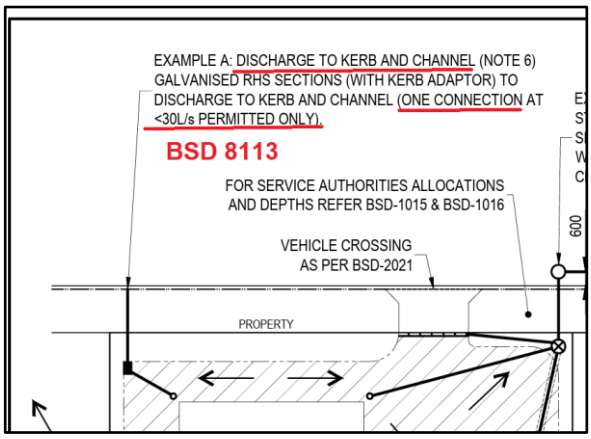
Yep.

BSD 8111

6. THE PERMITTED TOTAL DISCHARGE FROM THE DEVELOPMENT TO KERB AND CHANNEL, INCLUDING CONTRIBUTION FROM ANY EXTERNAL CATCHMENT, MUST NOT EXCEED 30L/s.

Index

50. The Upstream Drainage plan is in contravention of BSD 8113 “One connection at <30 L/s permitted only” The pipe velocity is > 76 L/s, based on conservative 60% site cover.



51. The unlicenced Council employees pipe will create nuisance flows and flood the residents of Darra according to Civil Works report dated 31/3/25.

5. Potential Downstream Flooding Issues **Civil Works**

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

In addition, an upstream connection does not prevent overland flow risks as the proposed infrastructure will only cater for minor flow storm events, as the primary issue for this development is the existing site terrain, which naturally directs water toward the rear.

52. The Council employees have contravened PSP 7.6.1 by the Council – causing of nuisance flooding and court cases against Council.

NOTES: **BSD 8111**

1. DESIGN FLOWS CALCULATED BASED ON MANNING'S 'n' OF 0.011. PIPE SIZED ASSUMING A DISCHARGE OF 15 L/s FROM EACH ALLOTMENT - BASED ON ROOF AREAS OF 250m² AND ARI OF 20 YEARS FOR S.E. QUEENSLAND. ALL PIPES SHALL HAVE A MINIMUM DIAMETER OF 150mm, EXCEPT ACROSS FOOTPATH.
2. WHERE THE PIPE GRADIENT EXCEEDS 5%, UNDERTAKE A MORE DETAILED HYDRAULIC ANALYSIS INCLUDING THE ASSESSMENT OF STRUCTURE LOSSES, WHERE APPROPRIATE.
3. AN EASEMENT IN FAVOUR OF COUNCIL IS REQUIRED WHEN THE ROOFWATER LINE IS DESIGNED TO SERVICE MORE THAN 2 ALLOTMENTS, IRRESPECTIVE OF PIPE SIZE.
4. DISCHARGE TO KERB AND CHANNEL MUST BE LIMITED TO 30L/s.

53. The Upstream Drainage pipe is in contravention of BSD 8111. “Discharge to kerb and channel must be limited to 30 L/s”. The discharge was >76 L/s.

54. The Upstream Drainage pipe is in contravention of BSD 8113 . “.5% grade for pipes >150”
The pipes had a negative gradient.

5. MINIMUM PIPE GRADES TO COMPLY GENERALLY WITH *AS3500* NATIONAL PLUMBING AND DRAINAGE CODE PART 3 STORMWATER DRAINAGE:
   - 1.0% GRADE FOR PIPES ≤150 DIAMETER.
   - 0.5% GRADE FOR PIPES >150 BUT <375 DIAMETER.
   - 0.3% GRADE FOR PIPES ≥375 DIAMETER.

BSD 8113

55. The Upstream Drainage pipe is in contravention of BSD 8111 . “.5% grade for pipes >150”
The pipes had a negative gradient.

6. MINIMUM PIPE GRADES TO COMPLY GENERALLY WITH *AS3500* NATIONAL PLUMBING AND DRAINAGE CODE PART 3 STORMWATER DRAINAGE:
   - 1.0% GRADE FOR PIPES ≤150Ø;
   - 0.5% GRADE FOR PIPES > 150Ø BUT < 375Ø;
   - 0.5-0.3% GRADE FOR PIPES 375Ø.

BSD 8111

56. The Upstream Drainage pipe is in contravention of BSD 8111 table. “.5% pipe slope“ not met.

The pipes had a negative gradient.

57. The Upstream drainage pipe does not comply with Upstream Drainage pipe being more than 600mm from boundary, BSD 8111.

DESIGN CRITERIA FOR REAR OF ALLOTMENT DRAINAGE SYSTEM

BSD 8111

EASEMENT WIDTH (m)	NOMINAL PIPE DIAMETER (mm)	MINIMUM PIPE SLOPE (%)	FLOW (L/s) - NOTE 4							
			PIPE GRADIENT % - NOTE 6							
			0.5	1.0	1.5	2.0	2.5	3.0	4.0	5.0
NOT REQUIRED - NOTE 3	150	1.0	N/A	18	23	26	30	33	38	42
0.9	225	0.5	38	56	67	78	87	96	110	125
0.9	300	0.5	84	120	146	170	190	210	N/A	N/A

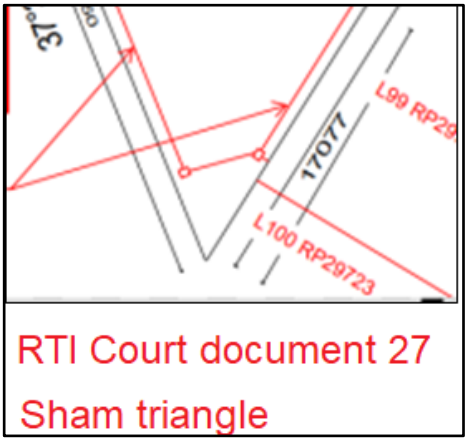
Index

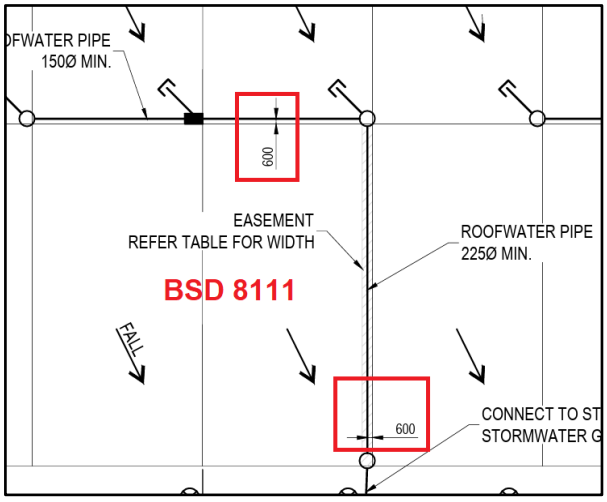
The Upstream Drainage pipe does not comply with BSD 8111, being more than 600mm from the boundary.

58. The unlicenced Council employees placed Hydraulic pipes illegally in neighbour's yards without neighbour's permission.

59. The Council employees applied a sham triangle in order to reduce the flooding.

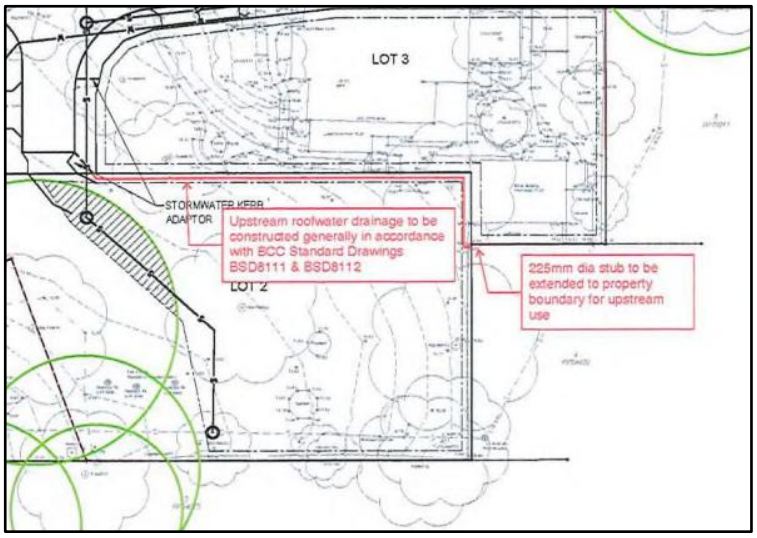
Sham triangle





60. The Upstream Drainage pipe is in contravention of BSD 8111.

This has been ratified by Henderson V Brisbane City Council 4139/18 and 3 approved S81 DA applications in the calendar year, 2024 in which an Upstream pipe did not have a sham triangle.
There was no sham triangle and BSD 8111.
The Upstream Drainage pipes in that court case were kept <600mm away from the boundary, unlike the sham triangle of A006565555 and 2916/24.



Index

//61. The Council Upstream Drainage pipe does not connect to a lawful point of discharge

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

(2) When land is developed, the roof and surface-water run-off from that land and any external catchment (through the development site) must be discharged to a lawful point of discharge, being:
(a) where the location of the discharge is under the lawful control of Council, being:
(b)
(i) a Council-owned open space asset such as a park or drainage reserve provided the concentration of stormwater does not adversely affect the drainage capacity of the asset and/or impact on adjoining properties; or
(ii) a road reserve, including the kerb and channel and compliance with the permissible flow width, flow depth and hazard.

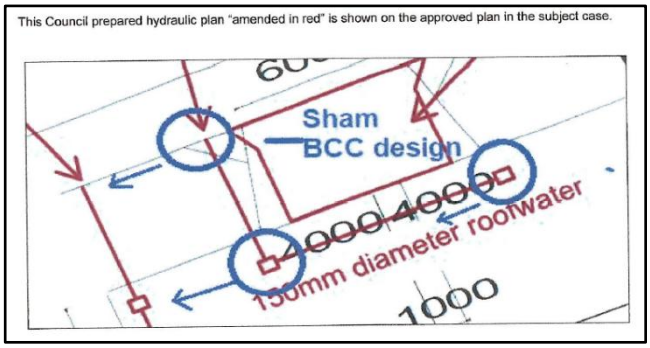
Law broken - S 7.6.1 (2) - Council employees have not discharged to a lawful point of discharge.
The kerb is not the lawful point of discharge. The rear lots can find their own lawful point of discharge. It won't be to 128 Ashridge Rd Darra.

62. All the Respondents had been aware that 128 Ashridge Rd Darra is not a lawful point of discharge.

RTI Onsite Drainage - Court document 27

63. The unlicenced RPEQ Council employees prepared an illegal flooded non - RPEQ certified RPEQ Onsite Drainage Plan including –

- 15 metres of hydraulic pipes
- 2 pits
- 1 kerb adaptor

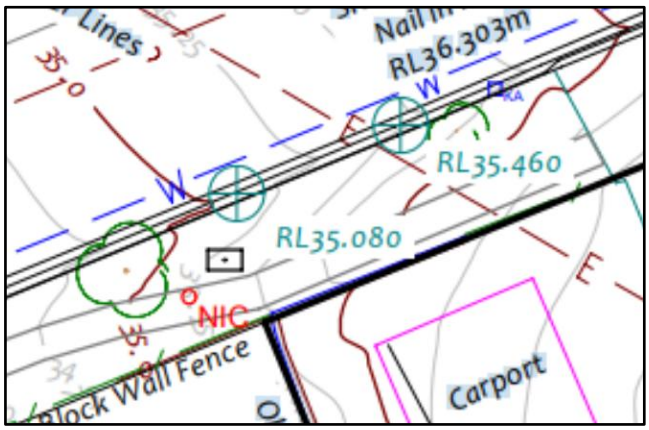


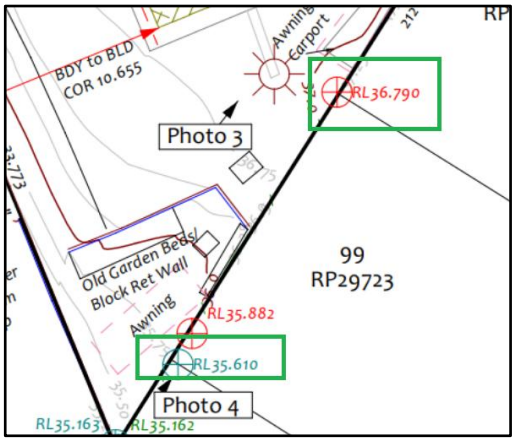
64. The kerb adaptor placed 5.1m up from the low side of the kerb, in contravention with PSP 7.6.2, BSD 8113.

65. The location of the kerb adaptor would have caused the owner a cost of $172,000 unnecessarily, to lift the house pad in order to obtain lawful point of discharge for a house.

66. There was no RPEQ certification of the Onsite Drainage red lines. This is an offence as per Schedule 2 of the Professional Engineers Act 2002.

67. Right - Notice of appeal

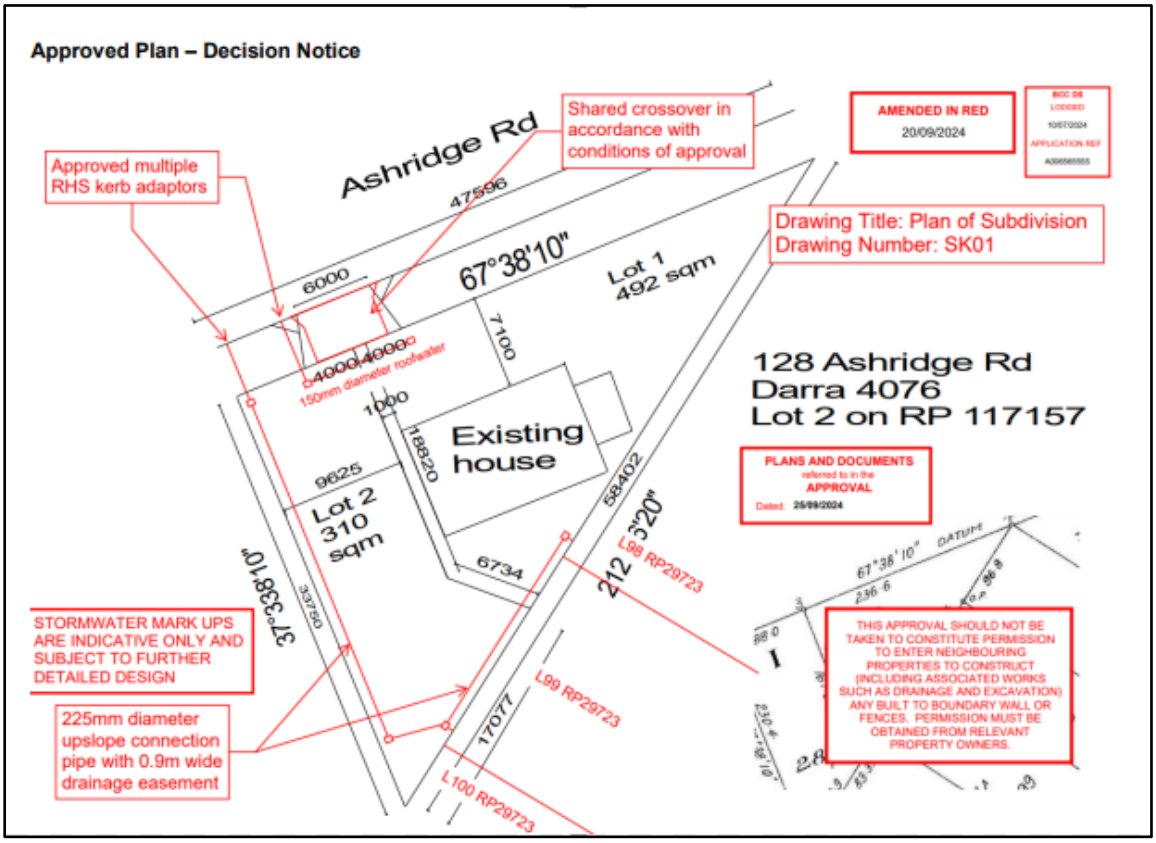




68. Updated survey levels, ONF, filed on xxxx Showing IL 35.080 and IL 35.460 **Il 35.610 and 36.790**

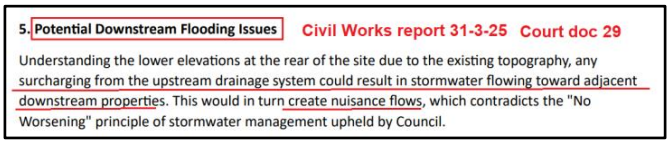
Index

19. Schrinner Council employees flooded plan No. 3 and 4. DA approved plan A006565555



Above - DA approved plan subdivision plan A006565555 - 25/9/24

Contempt of Court allegations


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

1. It is criminal contempt of court by act of omission for 7 months, by all the Respondents to have intentionally and knowingly withheld from the Court relevant Upstream Drainage flooding information for seven months from Manteit and the Court from 1/10/24 to 24-4-25, only 5 hearing minutes before the trial.

The relevant flooding information being -

- The Schrinner Council employee authored non-RPEQ certified DA approved Upstream Drainage pipes as drawn in red in the DA approval were illegally flooded 1.2m under the Ashridge Rd kerb and were illegally >76 L/s pipe velocity at the kerb

The act of omission is against common law and the UPCR Rules 1999 – REG 211.

"211. *A party to a proceeding has a duty to disclose to each other each document –*

(a) in the ***possession of the first party****; and*

Index

(b) ***directly relevant to an allegation*** *in issue in the pleadings;"*

"document" *means a record of information however recorded; and*

(i) includes anything on which there is writing; and

(ii) anything on which there are marks, symbols or perforations having a meaning for persons qualified to interpret them; and

(iii) an electronic document."

The Respondents have committed offences by refusing to disclose to Manteit (DA applicant and Court Appellant)

2. Proof of Respondents being caught by the UPCR rule REG 221

(a) The DA approved DA Upstream Drainage Plans including flooded Council employee pipes is in the possession of the first party – Brisbane City Council, not Manteit.

(b) Are directly relevant to the case being 61 metres of flooded Upstream Drainage pipes under the Ashridge Rd kerb.

The "documents" are

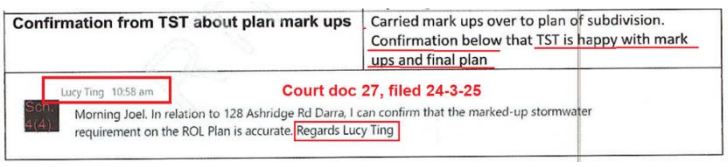
- RTI Upstream Drainage Plan prepared by Council employees
- Pipes traversing neighbours yards on the plans by Council employees
- Pipe sizing 150 and 225mm on the plans by Council employees
- Easement sizing 900mm by Council employees
- Pit placements on the plans by Council employees
- Writing on the plans by Council employees

Cr Schrinner and Dr Freeman are responsible for all actions of the the Council employees

2. It is contempt of Court by Cr Schrinner and Dr Freeman to have **given instructions to employees to withhold relevant information** to the case, to Manteit including

- Upstream Drainage pipe flooded 1.2m under the kerb
- Surface levels and invert levels of pipes
- Fill requirement information
- Easement document

3. It is contempt of court by Dr Freeman and Cr Schrinner did not inform court that they were aware that the Upstream Drainage pipes were flooded at the latest by 2/9/24, the date that Ting emailed 13 Council employees that the **plans were accurate** and would be sent to Blake for final approval.

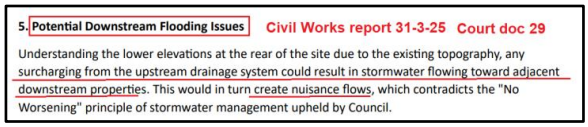


4. It is a criminal Contempt of Court by act of omission by Cr Schrinner and Dr Freeman for failing to audit 13 employees who all made flooding calculations on the Upstream and Onsite Drainage

Index

plans, twice, as Cr Schrinner and Dr Freeman are responsible for the performance and behavious of Council's own employees.

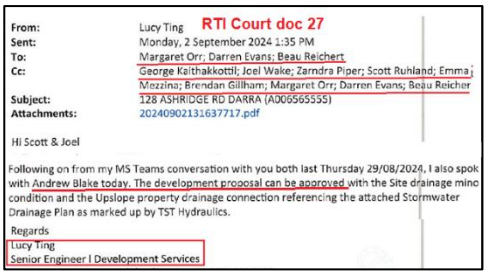
5. It is a criminal contempt of Court, by an act of omission, for 7 months, that all Respondents by **failing to notify the Court** that the Upstream Drainage pipes as shown on the RTI plans would cause **major flooding of over 410,000 litres per hour to the residents of Darra (Manteit 57*2*60*60).**


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

The plans were intentionally flooded by the Council employees and the pipes flooded 1.2m under the Ashridge Rd kerb and were >76 L/s (*"Conservative"* - Civil Works) pipe velocity at the kerb.

The 13 Council employees on Ting's email had their chance to correct their error at the draft stage. They chose not to correct that error. That is some evidence as to why the unlicenced Council employee flooding was intentional.


RTI Court doc 27

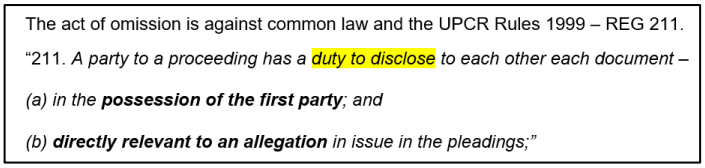
From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reicher
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage minc condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer | Development Services

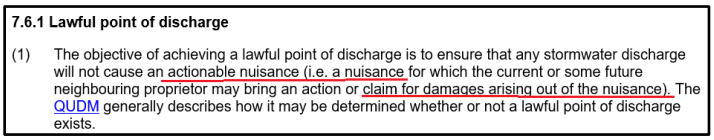
6. It is a criminal contempt of Court by an act of omission by all the Respondents, for 7 months, that Schrinner Council employees, Cr Schrinner and Dr Freeman withheld information from Manteit, relevant to the Case, under UPR 221, being withholding of information on their **undersized 225mm pipe**, which would have caused flooding to the residents of Darra.


The act of omission is against common law and the UPCR Rules 1999 – REG 211.

"211. *A party to a proceeding has a duty to disclose to each other each document –*

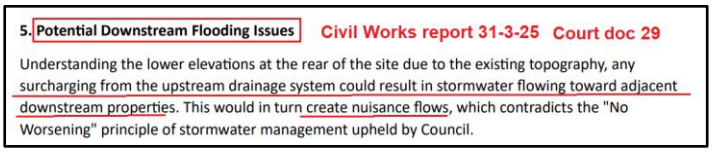
*(a) in the **possession of the first party**; and*

*(b) **directly relevant to an allegation** in issue in the pleadings;"*


7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

7. It is a criminal contempt of Court by an act of omission, for 7 months, by all the Respondents of their failure to notify the Court and Manteit at any stage to date that the **Upstream Drainage plans as shown on the RTI plans were not compliant with -**


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

Newtons laws of gravity
PSP 7.6.3 (1) and (2)
BSD 8113
BSD 8111
PSP 7.6.1(1)

All acceptable outcomes of the Stormwater Code
Schedule 2 of the Professional Engineers Act 2002
S115(1) of the Professional Engineers act 2002
S15(1) of the CCC Act 2001.

Index

8. It is a criminal contempt of Court by an act of omission for 7 months, by all the Respondents to fail to advise the Court that Manteit would have required to spend around $150,000 to **rectify the flooded DA approved Upstream Drainage pipes**, if constructed by Manteit.

9. It is a criminal contempt of Court, by an act of omission for 7 months, by all the Respondents, that all Respondents failed to advise Manteit and the Court, that the **Onsite Drainage plans** provide for a kerb adaptor 5.1m up from the low side of the kerb not in compliance with

BSD 8111
PSP 7.6.2 (3)

10 It is a criminal contempt of Court, by an act of omission, for 7 months, by Susan Hedge to look straight to the face of Judge Williamson KC at three hearings , on 12-2-24, 12-2-25, and 14-4-25, knowing full well the Upstream Drainage pipes were flooded 1.2m below Ashridge Rd kerb. But she omitted to notify that the Upstream Drainage plans flooded.

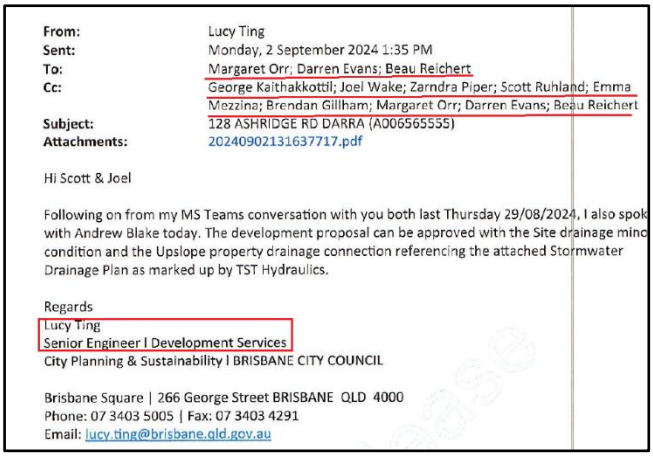
Background of this section

1. Council, Dr Freeman and Cr Schrinner instructed and paid for up to 13 Council employees to prepare an illegal DA approved flooded by 1.2m under the kerb, non-RPEQ certified DA approved Upstream drainage plan.

2. This DA approved Upstream Drainage plan is one of 8 flooded stormwater plans paid for and instructed by Cr Schrinner and Dr Freeman that all flood. Every single one of them.

3. The ratepayers are paying for the 8 Council, Cr Schrinner and Dr Freeman flooded plans, estimated to have cost the ratepayers around $300,000 so far.

4. The 13 Council employees had a responsibility (first chance) to ensure that their own authored Upstream Drainage Plan was not flooded, on 2-9-24, as evidenced in the email from Ting to 12 other Council employes. They were all incompetent and negligent in performing their duties. The Upstream Drainage plan was flooded. Dr Freeman and Cr Schrinner are responsible for them being incompetent and negligible. **It was flooded.**



From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage minc condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer | Development Services
City Planning & Sustainability | BRISBANE CITY COUNCIL

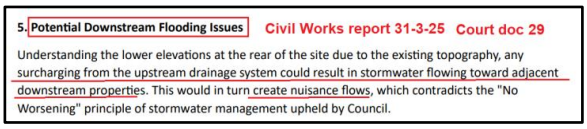
Brisbane Square | 266 George Street BRISBANE QLD 4000
Phone: 07 3403 5005 | Fax: 07 3403 4291
Email: lucy.ting@brisbane.qld.gov.au

Above – from records voluntarily provided by Brisbane City Council Right to information Team to Manteit, Court document, Court doc 27, filed 27-3-25.

5. The Council employees had a responsibility (second chance) to ensure that their own authored DA approved Upstream Drainage Plan dated 25/9/24 was not flooded. **It was flooded.**

Index

6. That is 26 times the Dr Freeman and Schrinner Council employees intended to flood the residents of Darra with around 410,000 litres of floodwater per hour.


5. Potential Downstream Flooding Issues Civil Works report 31-3-25 Court doc 29

Understanding the lower elevations at the rear of the site due to the existing topography, any surcharging from the upstream drainage system could result in stormwater flowing toward adjacent downstream properties. This would in turn create nuisance flows, which contradicts the "No Worsening" principle of stormwater management upheld by Council.

7. The Council employees all had a duty to provide information on their own Council employee engineered and authored Upstream Drainage plans to Manteit as soon as practically possible, and commencing from phone calls (filed) to Wake (1/10/24) and Ting (9/10/24) on and letters to Council officers and City Legal on 1/10/24 and 11/10/24 and 14/10/24.

They have been dishonest and they knew full well the moment Manteit picke out their error they chose to protect themselves from being charged with corrupt conduct.

Now the Crime and Corruption Commission alleges that there was systemic Council employee corrupt conduct.

8. Dr Freeman and Cr Schrinner both had a duty to provide information on their flooded Council employee plans to Manteit as soon as practically possible, and commencing from 1/10/24, at the latest.

10. The Respondents has a duty to not waste the Court's time for 7 months since 19-11-24 and have flown in the face of the Court for 7 months, by withholding information from Manteit and the Court being relevant to the case.

11. Susan Hedge and Sara McCabe had a duty, as officers of the Court to be truthful to the Court. They were not, by refusing to inform Judge Williamson KC only five hearing minutes before trial that the Upstream Drainage pipes "wont work"

12. Susan Hedge has looked straight in the face of His Honour Judge Williamson KC at three previous hearings, on 12-2-24, 12-2-25, and 14-4-25, knowing full well the Upstream Drainage pipes were flooded 1.2m below Ashridge Rd kerb. But she omitted to notify His Honour or Manteit that the Upstream Drainage plans flooded, at any of those hearings.

13. Susan Hedge has failed in her barrister duties and should not hold a position of barrister in any court in Australia.

Susan Hedge withheld the flooded and other information about the Council plans, from Judge Williamson until 24-4-25, only 5 hearing minutes before the trial.

14. The Schrinner Council employees all had a duty to provide information on their own authored plans to Manteit as soon as practically possible, and commencing from phone calls (filed) to Wake and Ting and letters to Council officers and City Legal on 1/10/24.

Confirmation from TST about plan mark ups | Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Court doc 27, filed 24-3-25

Lucy Ting 10:58 am

Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate. Regards Lucy Ting

" Lucy Ting - Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate.

Regards Lucy Ting. "

Index

Above – from records voluntarily provided by Brisbane City Council Right to information Team to Manteit, Court document, Court doc 27, filed 27-3-25

15. The RTI records demonstrates that many of the above Council employees have performed unlicenced engineering and calculations.

16. The Schrinner Council non-RPEQ certified DA approved Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd Kerb and the pipe flow at the kerb was over 76 L/s, being > 30 litres per second, causing nuisance flooding and loss if life. PSP 7.6.1(3).

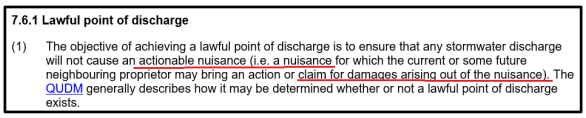
17. All the Respondents were deceitful to the court and withheld the flooded information from His Honour Judge Williamson KC until 24-4-25, around 5 minutes before the trial. Judge Williamson KC stated on 24-4-25, around 5 minutes before the end of the pretrial hearing that he would like working copies of all Council material from Susan Hedge.

Therefore, Judge Williamson KC had not read the Respondent's material prior to the trial.

18. The authors of the Council employee engineered flooded pipes are 7-13 Schrinner Council employees, not Manteit.

19. Schrinner Council employees have intentionally broken the following Council laws and laws of gravity by designing, engineering and placing the illegal flooded Upstream Drainage Plans on the DA approval dated 25-9-24.

- Newton's law of gravity - flooded
- BSD 8111, being fall less than min .5% fall (is negative gradient and flooded)
- PSP 7.6.3.1(2) being pipe flow > 30 L/s at the kerb for the development including external catchment.
- BSD 8113, being pipe flow > 30 L/s at the kerb for the entire development including external catchment.
- PSP 7.6.1(1) – No lawful point of discharge has been obtained by the Respondents. The stormwater discharge will cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance)

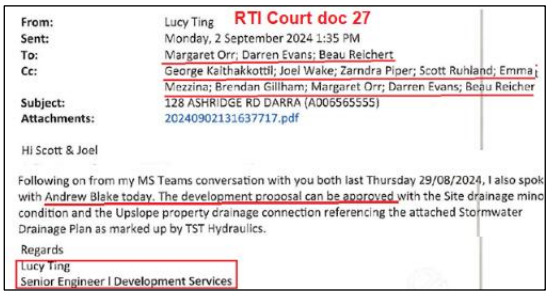


7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

Index

20. All the Respondents knew that the Upstream Drainage pipe was flooded, in depth of 1.2m under the Ashridge Rd kerb, since 2-9-24.


RTI Court doc 27

From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reicher
Subject: 128 ASHRIDGE RD DARRA (AD05565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage minc condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer | Development Services

21. Lucy Ting sent around 12 Council employees on 2/9/24 an email stating that the pipes were “accurate”

22. The act of refusing to notify the Manteit Relevant information to Manteit’s allegations , Held by Council, has prejudiced his trial and therefore is contempt of Court

Requests from Manteit to Council employees prior to the Notice of Appeal.

23. On 1/10/24. Manteit called Joel Wake. Wake was advised by Manteit that the Upstream Drainage pipes flooded, and requested information about the Council easement document.

24. 10/10/24 – Letter from Manteit to Council employees, Schrinner Council and City Legal.

In that letter by Manteit to Council, dated 10-10-24, this included Manteit flood calculations and Manteit crosssection images, demonstrating flooding under Ashridge Rd by 1-1.2m.

25. One of the reasons why Manteit took Court action, was that he could not build the non-RPEQ certified Upstream Drainage pipe, being flooded 1.2m under the Ashridge Rd kerb.

As stated in the letter of 10/10/24 by Manteit “I am not the author. You are”

26. Council have refused to withheld the flooded plans, easement information and other information since 10/10/24 until 24/4/25 when Susan Hedge stated to the His Honour Judge Williamson KC that “it doesn’t work” and “that will not work”

“I just have to put all the cards on the table”. That was the end of the lie that could have been corrected by the unlicenced Council employees on 1/10/24 in the Manteit phone call to Wake or the letter to the Schrinner Council on 10/10/124.

The had their chance to own the lie and limit their liability, but they chose to continue the lie until the most incompetent engineer in Australia, Corrigan, caught them out.

27. Cr Schrinner and Dr Freeman had the responsibility to audit their employees work. They didn’t.

The Council, Cr Schrinner and Dr Freeman Pinocchio nose got bigger and bigger, as time went on.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

The DA approved Upstream Drainage Plan shows:

Index

28. There has been intentional bombing of Darra residents with nuisance flooding by Council unlicenced RPEQ employees of up to 410,000 litres/hr. The nuisance flooding was authorized, instructed and paid for by Council, Cr Schrinner and Dr Freeman.

29. The illegal Upstream Drainage Plan was known to be flooded by all respondents since Manteit's letter dated 10-10-24 to Council/City Legal until the hearing of 24-4-25. Manteit supplied calculations and cross sections.

30. The Illegal Upstream Drainage plans are flooded 1.2m under the Ashridge Rd kerb as stated by Susan Hedge in the 24-4-25 hearing. The Upstream drainage plans were authorized, instructed and paid for by Cr Schrinner and Dr Freeman.

The illegal Upstream Drainage Plan was known to be flooded by Council and all respondents from letter dated 10-10-24 to Council/City Legal until 24-4-25.

31.The Illegal Upstream Drainage plans prepared by Council employees is flooded 1.2m under the Ashridge Rd kerb as stated by Civil Works filed 31-3-25.

32. Civil Works based the kerb flow on a conservative 60% site cover = roof cover

Note that Manteit Town Planning Small Lot Code roof cover is up to 90% of the site. See elsewhere for Town Planning interpretation.

Civil Works report 31-3-25

Council employee flooding plan by 1.2m
Flood nuisance to Darra residents

Lot 98 **Lot 99**

38 litres per second = > 30 l/s 38 litres per second = > 30 l/s

Civil Works report 31-3-25

Catchment	Q_1 (m^3/s)	Q_2 (m^3/s)	Q_5 (m^3/s)	Q_{10} (m^3/s)	Q_{20} (m^3/s)	Q_{50} (m^3/s)	Q_{100} (m^3/s)
Existing Site	0.014	0.019	0.026	0.031	0.038	0.049	0.054

Extracts above of Civil Works report dated 31-3-25.

Index

33. Council employees intentionally contravened PSP S7.6.3.1 (2), *"Level III drainage is only permitted if the total discharge from the development including any external attachment does not exceed 30\L/s"*

7.6.3.1 Connection to kerb and channel

(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

Law broken by Council employees - BSD 8113

BSD 8113

6. THE PERMITTED TOTAL DISCHARGE FROM THE DEVELOPMENT TO KERB AND CHANNEL, INCLUDING CONTRIBUTION FROM ANY EXTERNAL CATCHMENT, MUST NOT EXCEED 30L/s.

"The permitted total discharge from the development including any external attachment must not exceed 30L/s"

7.6.3.1 Connection to kerb and channel **BSD 8113 reference**

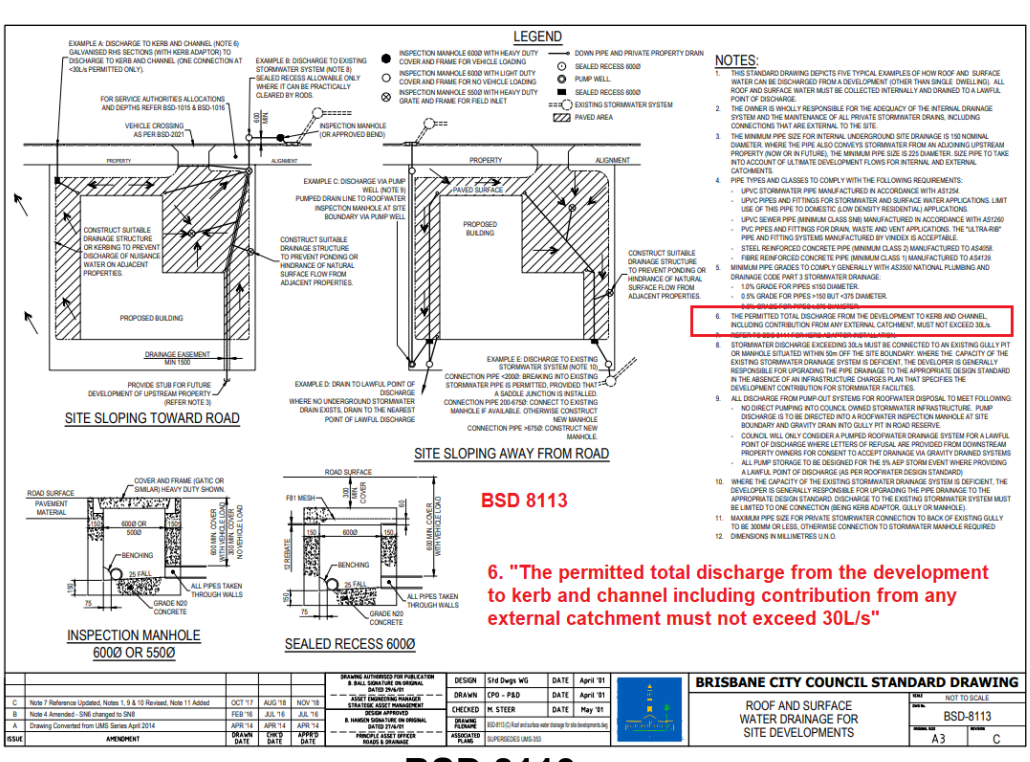
(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

BSD 8113 is called up in PSP 7.6.3.1 (2)

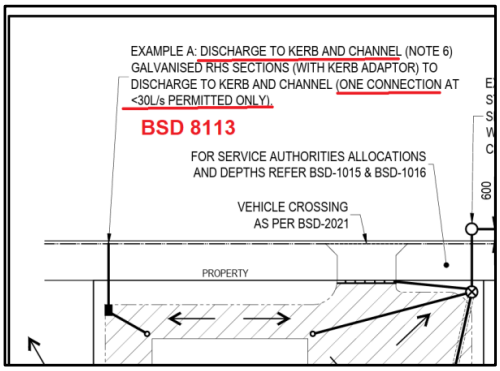


BSD 8113

33. Council employees contravened BSD 8113

Index

"Discharge to kerb and channel must be limited 30L/s".



to

34. Council employees intentionally contravened - BSD 8111

"Discharge to kerb and channel must be limited to 30 L/s."

NOTES: BSD 8111

1. DESIGN FLOWS CALCULATED BASED ON MANNING'S 'n' OF 0.011. PIPE SIZED ASSUMING A DISCHARGE OF 15 L/s FROM EACH ALLOTMENT - BASED ON ROOF AREAS OF 250m² AND ARI OF 20 YEARS FOR S.E. QUEENSLAND. ALL PIPES SHALL HAVE A MINIMUM DIAMETER OF 150mm, EXCEPT ACROSS FOOTPATH.
2. WHERE THE PIPE GRADIENT EXCEEDS 5%, UNDERTAKE A MORE DETAILED HYDRAULIC ANALYSIS INCLUDING THE ASSESSMENT OF STRUCTURE LOSSES, WHERE APPROPRIATE.
3. AN EASEMENT IN FAVOUR OF COUNCIL IS REQUIRED WHEN THE ROOFWATER LINE IS DESIGNED TO SERVICE MORE THAN 2 ALLOTMENTS, IRRESPECTIVE OF PIPE SIZE.
4. DISCHARGE TO KERB AND CHANNEL MUST BE LIMITED TO 30L/s.

35. The Council employees Upstream drainage pipe pipe grade is less than .5% (charged, going uphill).

6. MINIMUM PIPE GRADES TO COMPLY GENERALLY WITH *AS3500* NATIONAL PLUMBING AND DRAINAGE CODE PART 3 STORMWATER DRAINAGE:
   - 1.0% GRADE FOR PIPES ≤150Ø;
   - 0.5% GRADE FOR PIPES > 150Ø BUT < 375Ø;
   - 0.5-0.3% GRADE FOR PIPES 375Ø.

BSD 8111

36. Council employees intentionally contravened **BSD 8113**

5. MINIMUM PIPE GRADES TO COMPLY GENERALLY WITH *AS3500* NATIONAL PLUMBING AND DRAINAGE CODE PART 3 STORMWATER DRAINAGE:
   - 1.0% GRADE FOR PIPES ≤150 DIAMETER.
   - 0.5% GRADE FOR PIPES >150 BUT <375 DIAMETER.
   - 0.3% GRADE FOR PIPES ≥375 DIAMETER.

BSD 8113

37. Council employees intentionally contravened BSD 8111

DESIGN CRITERIA FOR REAR OF ALLOTMENT DRAINAGE SYSTEM

BSD 8111

EASEMENT WIDTH (m)	NOMINAL PIPE DIAMETER (mm)	MINIMUM PIPE SLOPE (%)	FLOW (L/s) - NOTE 4 PIPE GRADIENT % - NOTE 6							
			0.5	1.0	1.5	2.0	2.5	3.0	4.0	5.0
NOT REQUIRED - NOTE 3	150	1.0	N/A	18	23	26	30	33	38	42
0.9	225	0.5	38	56	67	78	87	96	110	125
0.9	300	0.5	84	120	146	170	190	210	N/A	N/A

38. Law broken by Schrinner Council employees - BSD 8111

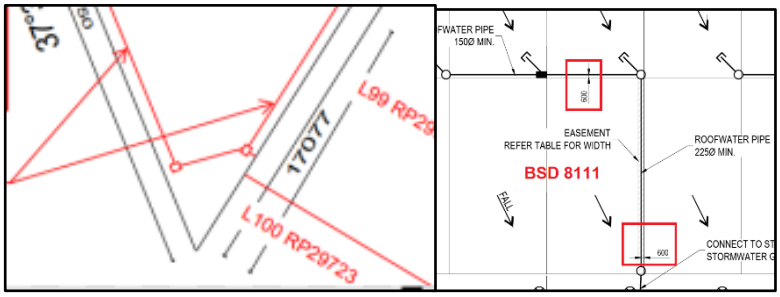
Does not comply with BSD 8111 due to Council employee Upstream Drainage pipe being more than 600mm from boundary, without owner consent.

Index

Sham triangle

Law broken by Schrinner Council employees - **BSD 8111**

39. Ratified by Henderson V Brisbane City Council 4139/18 and a 3 approved S81 applications in 2024.



40. The Illegal Upstream Drainage plans are flooded 1.2m under the Ashridge Rd kerb as stated by Corrigan report filed 22-4-25, Court document. Authorized, instructed and paid for by Cr Schrinner and Dr Freeman.

Corrigan 22-4-25
"the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Rd.

9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers. However, in my experience, a stormwater designing civil engineer would move to a design such as in my **Attachment D** which does achieve the necessary levels.

22-4-25 9.11.1.1. A longer pipe has a greater fall and greater depth than a shorter route. In the case of the long route, the depth of the pipe becomes too deep to discharge to the Ashridge Road kerb (as correctly identified by Civil Works Engineers).

Corrigan report - "Pipe becomes too deep to discharge to the Ashridge Rd Kerb(as correctly identified by Civil Works Engineers"

24-4-25 Susan Hedge - "can I just put all the cards on the table to assist, Your Honour?"

SUSAN HEDGE

So, less than the trigger for accessible development. And perhaps, can I just put all the cards on the table to assist, Your Honour?

JUDGE WILLIAMSON

Sure

41. The lying Susan Hedge had cards that she just wanted to put on the table for His Honour Judge Williamson KC.

24-4-25 Hedge "It won't work"

SUSAN HEDGE
Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Hedge - "that won't work"

JUDGE WILLIAMSON
Okay. Well there we go.

Judge Williamson KC - "Well there we go "

SUSAN HEDGE
That's Civil Works Engineers. That's the letter. Yes.

Mr. Corrigan agrees that where that red line is, like if you take a literal interpretation of what is in fact an indicative drawing, then that will not work.

"then that won't work"

He's identified two other ways that you can achieve the outcome of the condition, which is to provide upslope drainage.

Hedge - "He's identified two other ways that you can achieve the ....condition."

JUDGE WILLIAMSON
Yep.

Index

42. The Upstream Drainage plan has Illegal flow velocity at the kerb of over 76 L/s in contravention of PSP S7.6.3.1 (2) as stated by Corrigan in his report, filed 23-4-25. The illegal flow velocity was authorized, instructed and paid for by Cr Schrinner and Dr Freeman and Council.

7.6.3.1 Connection to kerb and channel

(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

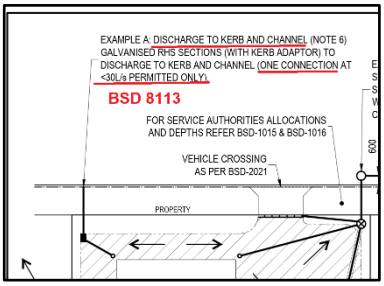
(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

PSP S7.6.3.1(2) Connection to kerb and channel - "provides that *for development that is a "a material change of use , ….Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30 L/s."*

43. The Upstream Drainage pipes are in contravention of BSD 8113 "One connection at <30 L/s permitted only". Authorized, instructed and paid for by Cr Schrinner and Dr Freeman.



44. The Upstream Drainage pipes are in contravention of BSD 8111. The permitted total discharge from the development to kerb and channel including contribution from and external catchment must not exceed 30 L/s

BSD 8111

6. THE PERMITTED TOTAL DISCHARGE FROM THE DEVELOPMENT TO KERB AND CHANNEL, INCLUDING CONTRIBUTION FROM ANY EXTERNAL CATCHMENT, MUST NOT EXCEED 30L/s.

DA approved plan A06565555 25/9/24 - Onsite drainage

45. The unlicenced RPEQ Council employees prepared an illegal flooded non - RPEQ certified RPEQ Onsite Drainage Plan including –

- 15 metres of hydraulic pipes
- 2 pits
- 1 kerb adaptor

46. The kerb adaptor was placed 5.1m up from the low side of the kerb, in contravention with PSP 7.6.2, BSD 8113.

1. There was no RPEQ certification of the Onsite Drainage red lines. This is an offence as per Schedule 2 of the Professional Engineers Act 2002.

2. The location of the kerb adaptor would have caused Manteit a cost of $172,000 unnecessarily, to raise the house pad in order to obtain lawful point of discharge for a house.

47. The Onsite Drainage plans were the only red line plans drawn by Council employees in 412 approved Council cases in 2024, refer filed audit date 27/3/25.

Index

Council refused to remove the illegal Onsite Drainage red lines until the day of the trial and Court doc 49.

48. Council refused to remove the Onsite Drainage red lines for 7 months, from DA approval 25-9-24 to trial 28-4-25.

49. The Onsite drainage plans were unlawful and would have caused to be incurred fines by persons both designing and constructing these unlawful plans, of up to $751,000 per person, under S163 and S164 of the Planning Act 2016.

50. These Onsite Drainage plans, if designed and constructed, will cause the applicant RPEQ, the applicant, and plumber to break up 10 different council laws.

51. If the Council pipes were constructed, as per legal Council laws, the following persons would have been given a $751,000 fine

- Hydraulic engineer
- Plumber
- Manteit - owner

52. Breaking of S163 of the Planning Act means that fines of $750,000 apply if the owner constructs something that is not approved.

53. Council employees were forcing any applicant RPEQ engineer to lose his licence by designing flooded plans.

54. There was no process after DA approval whereby the applicant could submit RPEQ plans for aproval, prior to constructing Dr Freeman and Schrinner Council flooded pipe 1.2m under Ashridge Rd kerb.

Hence, the applicant could not design nor construct the two Council flooded Upstream Drainage plans, or any other plans.

Hence, you, Council and the Council employees have caused losses to Manteit of $751,000.

55. The Council employee kerb adaptor was placed 5.1m from the low side of the kerb, by the Council employees and did not comply with BSD 8111, PSP 7.6.2, being 400mm - 600mm from the low side of the kerb.

The kerb adaptor was intentionally placed halfway up the hill by the unlicenced Council employees at AHD 35.463, instead of 400mm from the low side of the kerb at AHD 35.080

56. The Council employees didn't bother to remove the Onsite Drainage red lines for 7 months, which has caused Manteit of $200,000 interest cost and lost profits.

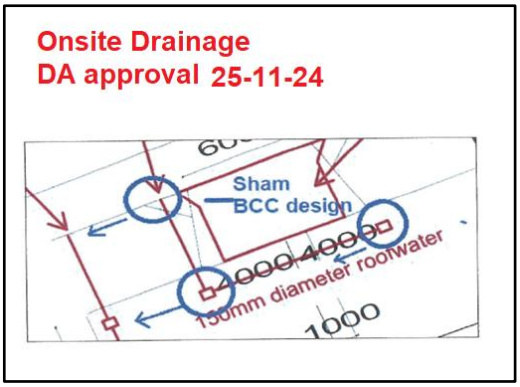
57. The Onsite Drainage plan was designed and engineered by the unlicenced Council

Index

employees.

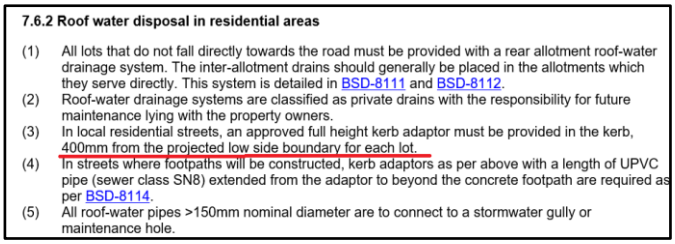
58. Council, Dr Freeman and Cr Schrinner chose for 7 months to attempt to protect their own reputation and the possible imprisonment of the corrupt Council employees.

59. Right - Unlicenced Council employee alleged sham Onsite Drainage plan, forcing the owner and applicant RPEQ $751,000 in fines by S163 and S164 of the Planning Act, if designed or constructed.



60. Law broken by Council employees - BSD 8113

61. Law broken by Council employees - PSP 7.6.2 (3).



7.6.2 Roof water disposal in residential areas

(1) All lots that do not fall directly towards the road must be provided with a rear allotment roof-water drainage system. The inter-allotment drains should generally be placed in the allotments which they serve directly. This system is detailed in BSD-8111 and BSD-8112.
(2) Roof-water drainage systems are classified as private drains with the responsibility for future maintenance lying with the property owners.
(3) In local residential streets, an approved full height kerb adaptor must be provided in the kerb, 400mm from the projected low side boundary for each lot.
(4) In streets where footpaths will be constructed, kerb adaptors as per above with a length of UPVC pipe (sewer class SN8) extended from the adaptor to beyond the concrete footpath are required as per BSD-8114.
(5) All roof-water pipes >150mm nominal diameter are to connect to a stormwater gully or maintenance hole.

62. Law broken by Council employees - S164 Planning Act - $751,000 fine from Council to applicant if Onsite Drainage is built to Council laws, and not the red lines, being built 400mm from the low side of the kerb and not the red lines.

63. Law broken by Council employees - S163 Planning $751,000 fine by Council to applicant if Onsite Drainage is built to the red lines, and not being 400m from the low side of the kerb.

Questions and statements made by Manteit to Council employees, Council, Lord Mayor, of Upstream Drainage flooding allegations, easement questions

Manteit gave a multitude of amount of statements and requests to provide information to Council employees of the flooded non-RPEQ certified Upstream Drainage document. Easement, Fill conditions, including –

Date filed.	Court Doc No.	Doc Type	Item date	Pages, Sectn.	Request for information of Council documents/Statement of Council flooding/Statement of fill.
Prior to Notice of appeal					
4/12/24	14	Ph call	1/10/24	1-5	**27 questions re Council Easement** Minutes of Ph call with Joel Wake, Council employee
4/12/24	14	Ph call	1/10/24		Tel call Manteit with Joel Wake – **questions of**

Index

					easements and Council flooding
4/12/24	14	Ph call	1/10/24		Tel call Manteit to Lucy Ting – question of invert level of pipe at kerb 35.12 – she hung up
4/12/24	15	Letter			Statement of **Upstream Drainage pipes being flooded**
	n/a		10/10/24		Posting on brisbanecitycouncilcomplaints.com.au demonstrating **Council employee flooding**
4/12/24	15	Letter to			Statement of **Upstream Drainage pipes being flooded**
			4/10/24		*"The placement of a **charged red line is dedigned by BCC without any basis whatsoever and refusal to respond to questions to the applicant is serious"***
					*"Please specifically state for court purposes that **BCC is not willing to discuss the easement** matter. This is for the sake of clarity for court purposes"*
11/10/24		Letter to City Legal, 4 Council employees	11/10/24	P1-2	• Request for Council **easement** • Request for response to letter 1/10/24 re **easement** • Manteit to Ting phone call - **no legal point of discharge** • Sham triangle of **easement** • Wake to Manteit phone call – 10 questions regarding **easements** and **surface and invert levels of Councils red lines** • Wake to Manteit phone call – 10 questions regarding **easements** and surface and **invert levels** • **Incorrect stormwater design and fill calculations** • ***"I do not need fill for my development"***
21/10/24		Letter to Lord Mayor, City Legal, 6 council employees			• "Questions on stormwater line" • Questions on "Council easement 900mm wide" • Questions on Urban Utilities and easement.
22/10/24		Letter to The Lord Mayor, City Legal, 5 employees	22/10/24	P1-5	• **Request for easement document** • Request for Council details of sewerage connection to easement • Request for information of Easement and Zone of Influence • Request for private drain information in easement • Request for easement documentation of • Statement – "sham fall calculations" • *"Your requirement for a stormwater pipe is*

Index

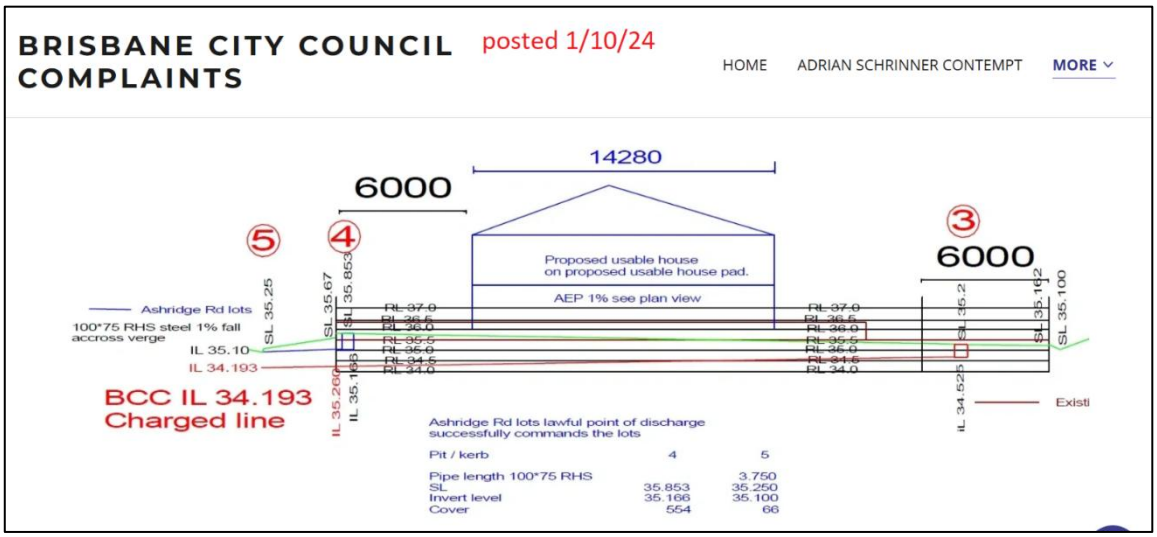
					doomed"
		Letter to Lord Mayor, City Legal, Sara McCabe, 5 council employees			• **To Lord Mayor** - *"**Easement document required by 10am Wednesday 23-10-24 and Other**"* • *"I have written to the **Lord Mayor** again because all the named parties refuse to respond, including City Legal."* • *"I require the document wording of the easement document, as per your duty of the approval"*
22/10/24		Letter to Lord Mayor, City Legal, Sara McCabe, 5 Council employees		P1-7	• Manteit - *"Drainage **easement plan affidavit** required" (required from the **Lord Mayor**).*
24/10/24		S75 Notice to Sara McCabe, City Legal, 6 council employees	24/10/24	P1	• Manteit - I "The longer Council refuses to respond to past questions and future questions will end up in major damages awarded to myself and cause the ratepayers an unnecessary bill" • Manteit - *"23 days since questions have been asked re the approval and no response"* • Manteit - *"Council does not respond to emails to city.legal@brisbane.qld.gov.au"* • Manteit - *"These facts alone are all a matter of public interest to ratepayers and Brisbaneites and should be published."* • "This notice will be published on any website or publication I choose.
25/10/24		Stat dec	25/10/24		• "Sara Sara McCabe repeatedly refused to acknowledge these documents." • "It is also noted that there has been **no response to my last letter re easement questions on 1/10/24."** • "I wish to advise that any refusal to provide truthful and transparent responses could be cause legal and other costs to the applicant, as awarded in the Planning and Environment Court." • "I put the Council on notice that I intend to lodge an seeking a court order for BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/24. • "This is apart from the **sham requirement to fill**

Index

					the block, which will not raise the requirement for the neighbour's stub to be 450 cover" • "The Council choice not to respond to a **legal notice warning on 11/10/24** is your problem, not mine. You need to pay my damages"
12/11/24	14	Letter to			Statement of Upstream Drainage pipes being flooded
After Notice of appeal					
19/11/24		Notice of Appeal			Statement of Upstream Drainage pipes being flooded
19/11/24		Grounds of Appeal			Statement of Upstream Drainage pipes being flooded
26/11/24		Letter			
11-12-24	Not filed	Proposed orders			
14-4-24		Hearing			Statements of Upstream pipes being flooded
					Hearing – over 30 minutes of mentioning's to Judge Williamson KC advising of flooded plans and
14-4-25	n/a	Request for subpoenas	14-4-25	1-3	Requirement for 6 Council employees to provide information on Upstream Drainage.
24-4-25					24-4-25 Hearing - over 10 minutes discussion and description of red lines and request for determination of red lines at the start of the trial.

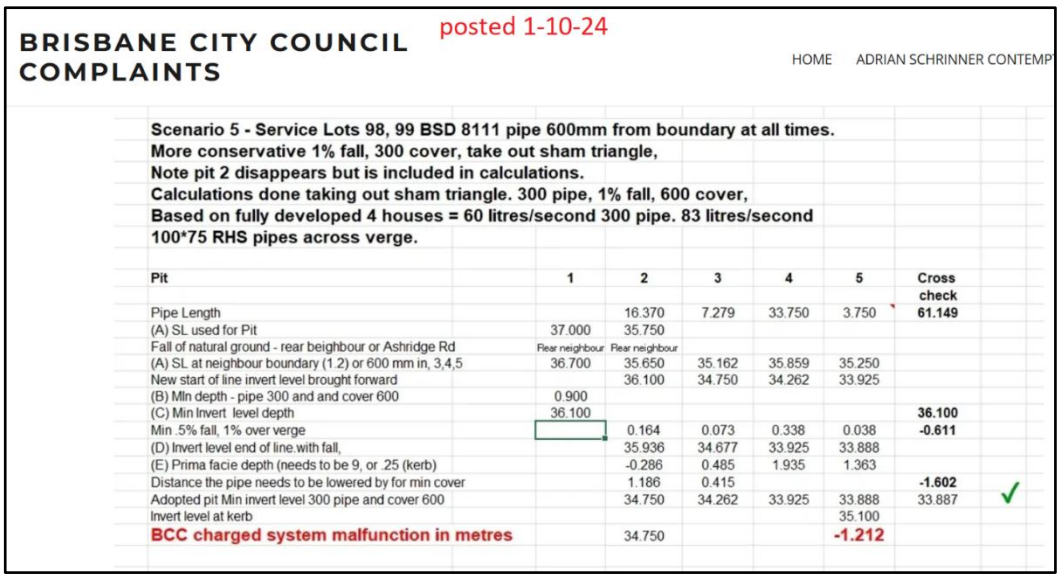
Council employee flooding as displayed on Brisbane City Council Complaints website 1-10-24

- Flooding as displayed on Manteit's website brisbanecitycouncilcomplaints.com.au, since 10/10/24, some 6 weeks before the Notice of Appeal dated 19/11/24.



Index

Brisbane City Council Complaints website posted 10-10-24, still live.



BRISBANE CITY COUNCIL COMPLAINTS

posted 1-10-24

HOME ADRIAN SCHRINNER CONTEMP

Scenario 5 - Service Lots 98, 99 BSD 8111 pipe 600mm from boundary at all times.
More conservative 1% fall, 300 cover, take out sham triangle,
Note pit 2 disappears but is included in calculations.
Calculations done taking out sham triangle. 300 pipe, 1% fall, 600 cover,
Based on fully developed 4 houses = 60 litres/second 300 pipe. 83 litres/second
100*75 RHS pipes across verge.

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	7.279	33.750	3.750	**61.149**	
(A) SL used for Pit	37.000	35.750					
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL at neighbour boundary (1.2) or 600 mm in, 3,4,5	36.700	35.650	35.162	35.859	35.250		
New start of line invert level brought forward		36.100	34.750	34.262	33.925		
(B) Mln depth - pipe 300 and and cover 600	0.900						
(C) Min Invert level depth	36.100					**36.100**	
Min .5% fall, 1% over verge		0.164	0.073	0.338	0.038	**-0.611**	
(D) Invert level end of line with fall,		35.936	34.677	33.925	33.888		
(E) Prima facie depth (needs to be 9, or .25 (kerb)		-0.286	0.485	1.935	1.363		
Distance the pipe needs to be lowered by for min cover		1.186	0.415			**-1.602**	
Adopted pit Min invert level 300 pipe and cover 600		34.750	34.262	33.925	33.888	33.887	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres		34.750			**-1.212**		

Brisbane City Council Complaints website posted 10-10-24, still live.

Letter from Manteit to Council, Council employees and City Legal, 10-10-24, filed 4-12-24. No response has been provided to this day.

67. Schrinner Council, Cr Schrinner and Dr Freeman hid the corrupt and incompetent conduct of their Council employees, for 8 months .(Refer Crime and Corruption Commission allegations17/9/25. They were caught out by their own winemaster witness Corrigan.

They acted in contempt of court by refusing to advise the court any any stage until 24-4-25 that, amongst other things, the Upstream Drainage Pipes were flooded both

- in depth 1.2m under the Ashridge Rd kerb
- In pipe discharge velocity of >30L/s at the kerb

68. Notification of the Upstream Drainage pipe being flooded was stated by Manteit in a letter to Council and City Legal on 11-10-24 (dated 10-10-24) stating that the Upstream Drainage red lines flood. 27 questions wer asked about the easement document and pipe levels on 1/10/25.

69. Manteit stated that If the Council employees had responded to these letters, that there would be damages caused to him and he had no option but to go to court.

70. Manteit stated that he could not build the Upstream Drainage pipe due to it being flooded.

- Manteit stated in his letter to Council, the unlicenced Council employees and City Legal, some 6 weeks before the Notice of Appeal dated 19/11/24, that the Upstream Drainage pipes were flooded.

“The red line is charged by .984m”

Index

(8)
10/10/24
Emailed 11/10/24

10 October 2024

The Manager

Brisbane City Council.

128 ASHRIDGE RD DARRA

for lodgement on Development I

LODGEMENT ON brisbanecitycouncilcomplaints.com.au

RE: 128 ASHRIDGE RD DARRA

The purpose of this factsheet is to help customers navigate the process of complying with conditions associated with a developm
must be achieved to ensure lawful and successful development approval fulfillment.

Understanding your development approval conditions:

Conditions cover various aspects, including engagement requirements, construction activities, and timing for when specific activit

Review and understand Conditions:	Thoroughly read and comprehend all conditions, seek clarity by contacting the relevant specialist teams by emailing conditioncompliance@brisbane.qld.gov.au as early as possible if unclear.

Dear Sirs

I am seeking clarity as to the conditions of the approval , as per BCC advice attached with approval.

Please provide your answers to the following questions by Thursday 5pm 10/10/24.

Time is of the essence.

Please file this correspondence on Development I

P & E Court Material.- Hand this to City Legal

Cc brisbanecitycouncilcomplaints.com.au

I wish to advise that any refusal to provide truthful and transparent responses will be detrimental to any future P & E Court case.

Index

10-10-24 Manteit to Council employees

14

2. **Please advise what associated earthworks would be required to "enable" when it is painfully obvious the AHD 35.166 at front boundary commands the block and a legal point of discharge is already enabled and all existing and future levels are above 35.6 which is some 400 mm above the AHD 35.166 at the front boundary.**

3. **Please demonstrate why the site must be filled to enable lawful point of discharge for the Ashridge Rd lots.**

"Provision of a stormwater drainage connection for upslope properties."

I have attached plan view and crosssection to demonstrate that the red line shown of the approved plan is charged.

The red line is charged by .907 m using BSD 8111 requirements of 225mm pipe, 450 cover and .5% degree fall, but using illegal
sham triangualr line which is not within 600 mm of the boundary

The red line is charged by .984 m using BSD 8111 requirements of 225mm pipe,450 cover and .5% degree by using legal method
of keeping line within 600mm of the boundary.

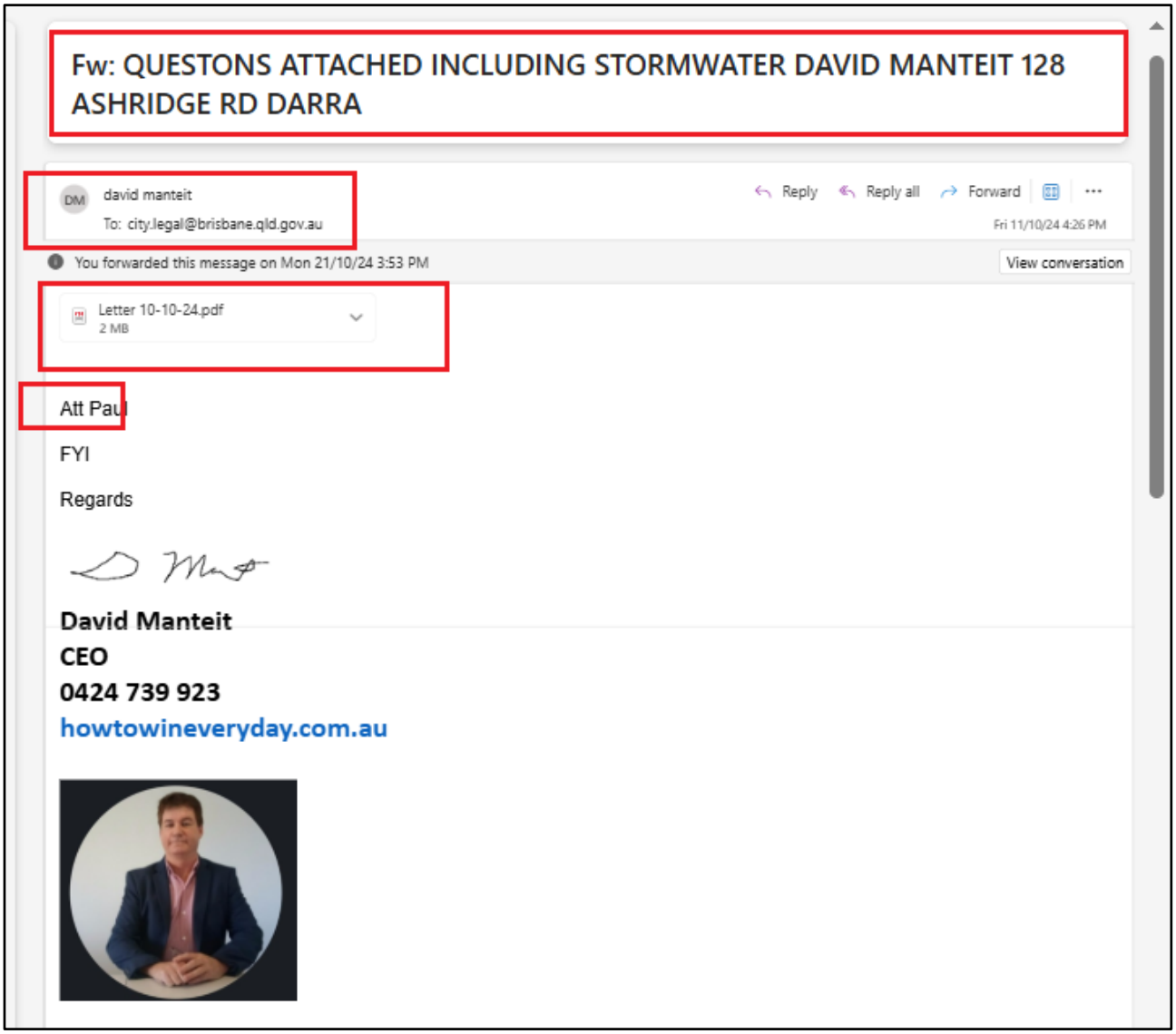
The red line is charged by 1.269m by using conservative 225mm pipe,450 cover and 1% degree fall.

4. **Please advise if you disagree with the above statements highlighted in yellow..**

5. **Please provide BCC surface and invert levels of BCC proposed stormwater red line plan for supposed
upslope rear lots used in the assessment of the red line.**

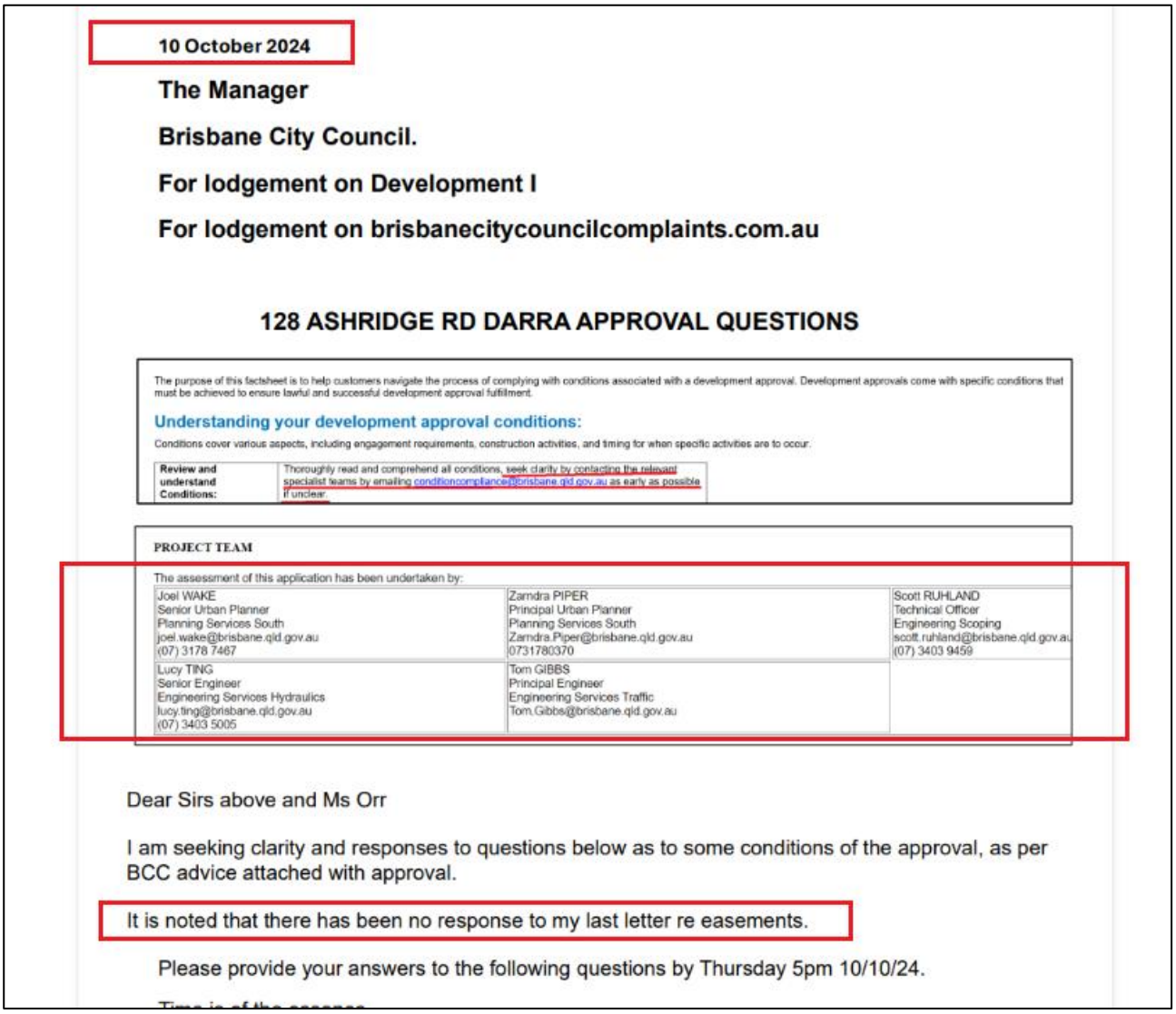
There is no definition of "Upslope" or "Upslope Lots in BCC definitions".

Index



Letter to City Legal 10-10-25. No response. There has never been a response by City Legal.
Filed

Index



10 October 2024

The Manager

Brisbane City Council.

For lodgement on Development I

For lodgement on brisbanecitycouncilcomplaints.com.au

128 ASHRIDGE RD DARRA APPROVAL QUESTIONS

The purpose of this factsheet is to help customers navigate the process of complying with conditions associated with a development approval. Development approvals come with specific conditions that must be achieved to ensure lawful and successful development approval fulfilment.

Understanding your development approval conditions:

Conditions cover various aspects, including engagement requirements, construction activities, and timing for when specific activities are to occur.

Review and understand Conditions:	Thoroughly read and comprehend all conditions, seek clarity by contacting the relevant specialist teams by emailing conditioncompliance@brisbane.qld.gov.au as early as possible if unclear.

PROJECT TEAM

The assessment of this application has been undertaken by:

Joel WAKE Senior Urban Planner Planning Services South joel.wake@brisbane.qld.gov.au (07) 3178 7467	Zamdra PIPER Principal Urban Planner Planning Services South Zamdra.Piper@brisbane.qld.gov.au 0731780370	Scott RUHLAND Technical Officer Engineering Scoping scott.ruhland@brisbane.qld.gov.au (07) 3403 9459
Lucy TING Senior Engineer Engineering Services Hydraulics lucy.ting@brisbane.qld.gov.au (07) 3403 5005	Tom GIBBS Principal Engineer Engineering Services Traffic Tom.Gibbs@brisbane.qld.gov.au	

Dear Sirs above and Ms Orr

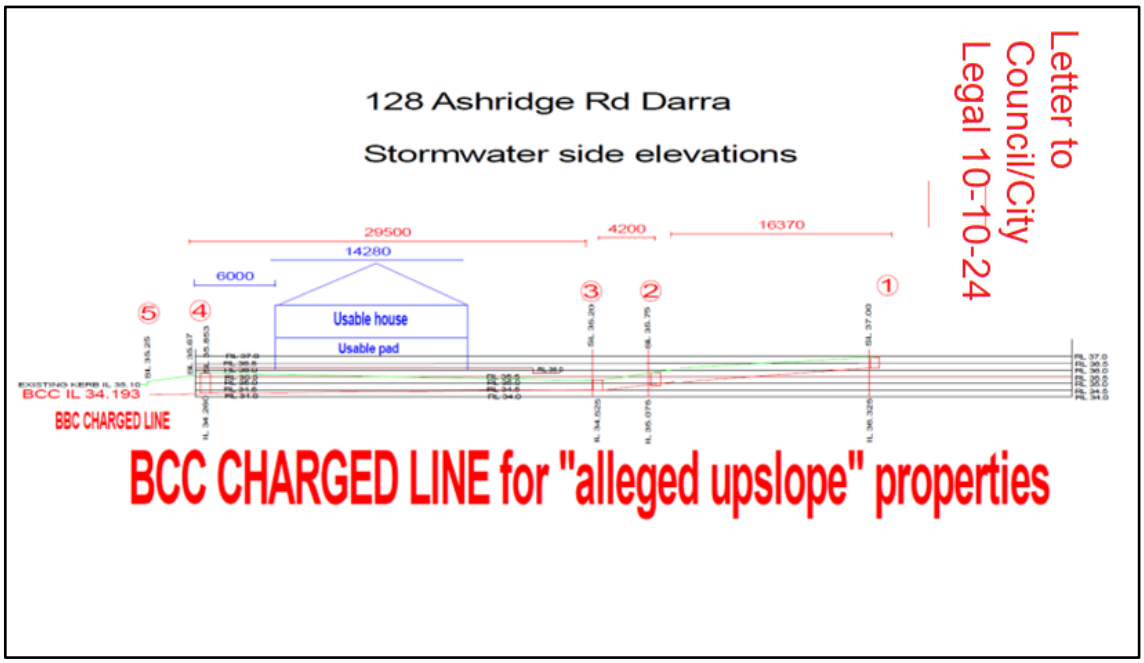
I am seeking clarity and responses to questions below as to some conditions of the approval, as per BCC advice attached with approval.

It is noted that there has been no response to my last letter re easements.

Please provide your answers to the following questions by Thursday 5pm 10/10/24.

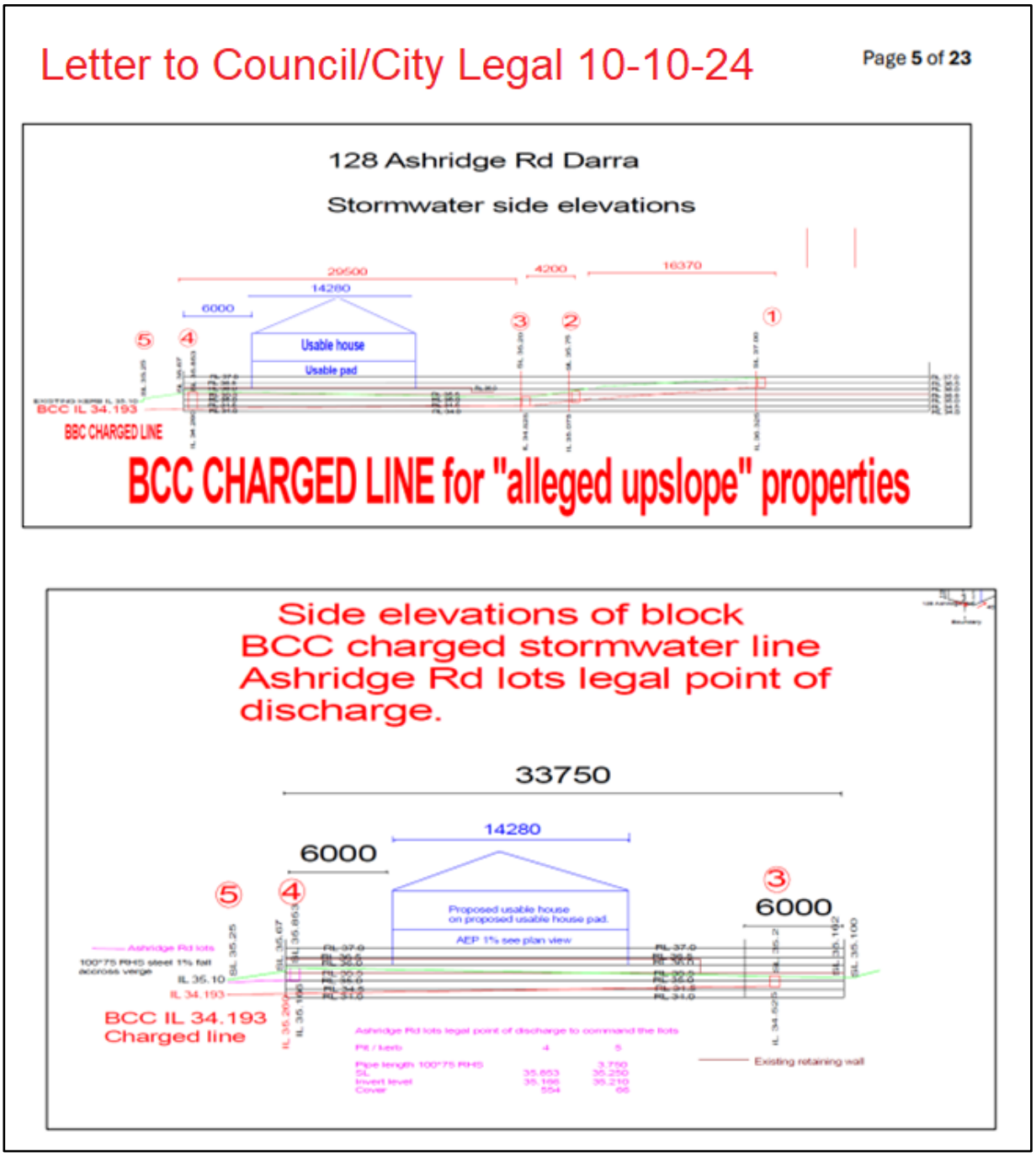
Letter to City Council/City Legal and the unlicenced Council employees dated 10-10-24. filed 4-12-24. No response.

Index



Letter to City Council/City Legal 10/10/24 filed 4/12/24

Index



Letter to City Council/City Legal 10/10/24 filed 4-12-24.

Index

Letter to Council/City Legal 10-10-24

Scenario 1 - 450 cover and .5% fall as per BSD 8111 requirements
Calculations done against red line shown on BCC approved plan.

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	6.060	29.500	3.750		
SL at boundary	36.700	35.650	35.162	35.853			
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL used for Pit	37.000	35.750	35.200	35.853	35.250		
New start of line invert level brought forward		36.325	35.075	34.525	34.260	36.325	
(B) Min depth - pipe 225 and and cover 450	0.675						
(C) Min Invert level depth	36.325						
Min .5% degree fall , 1% over verge		0.147	0.055	0.266	0.067	-0.534	
(D) Invert level end of line after fall		36.178	35.020	34.260	34.193		
(E) Prima facie depth (needs to be + .675, + 250 (kerb)		-0.428	0.180	1.594	1.057		
Distance the pipe needs to be lowered by to be not charged.		1.103	0.495			-1.598	
Adopted Min invert level with 225 pipe and 450 cover carried forward		35.075	34.525	34.260	34.193	34.193	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres					-0.907		

Scenario 3 - Service Lots 98, 99 BSD 8111 pipe 600mm from boundary at all times.
Note pit 2 disappears but is included in calculations due to requirement of maintaining cover at all times. 450 cover .5% fall,

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	7.382	33.750	3.750		
SL Pit	37.000	35.750					
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour	Rear neighbour				
(A) SL at neighbour boundary (1.2) or 600 in, 3,4,5	36.700	35.650	35.162	35.853	35.250		
New start of line invert level brought forward		36.025	34.975	34.487	34.183		
(B) Min depth - pipe 225 and and cover 450	0.675						
(C) Min Invert level depth	36.025					36.025	
Min .5% degree fall , 1% over verge		0.147	0.066	0.304	0.067	-0.584	
(D) Invert level end of line with fall,		35.878	34.909	34.183	34.116		
(E) Prima facie depth (needs to be + .675, + 250 (kerb)		-0.228	0.253	1.670	1.134		
Pipe needs to be lowered by to make it work.		0.903	0.422			-1.324	
Adopted Min invert level 225 pipe and cover 450		34.975	34.487	34.183	34.116	34.117	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres		34.975			-0.984		

Letter to City Council/City Legal 10/10/24 filed 4/12/24 Court document xxx

Index

Pit	1	2	3	4	5	Cross check
Pipe Length		16.370	6.060	29.500	3.750	
SL at boundary	36.700	35.650				
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour				
(A) SL used for Pit	37.000	35.750	35.250	35.853	35.250	
New start of line invert level brought forward		36.175	34.925	34.425	33.898	
(B) Min depth - pipe 225 and and cover 600	0.825					
(C) Min Invert level depth	36.175					36.175
Min one degree fall		0.291	0.108	0.524	0.067	-0.988
(D) Invert level end of line without min cover		35.884	34.817	33.901	33.831	
(E) Prima facie depth (needs to be + .825, + 250 (kerb)		-0.134	0.433	1.952	1.419	
Distance the pipe needs to be lowered by to be not charged.		0.959	0.392			-1.352
Adopted Min pit invert level 225 pipe and cover 600 carried forward		34.925	34.425	33.898	33.831	33.835 ✓
Invert level at kerb					35.100	
BCC charged system malfunction in metres					-1.269	

"enable lawful point of discharge for the proposed lots to Ashridge Road kerb and channel"

The invert level at kerb as per the BCC approved plan is 35.100. This was arrived at by the applicant using his laser level in conjunction with the surveyor kerb site datum of 36.303.nThis took me all of 60 seconds, as both marks are only some 10 metres away from each other and both on the kerb.

As of date of this letter, Council is invited to get their own kerb levels anytime. You own the land. I have already invited Joel Wake to inspect a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn't assessed the stormwater calculations, nor engineering, nor "easement document to be prepared by Council"

Given required one degree fall, a minimum of AHD 35.166 invert level is required at the boundary.The invert level at the boundary is proposed AHD 35.166.This level will command the the existing site levels for both Lot 1 and Lot 2 without the placement of any fill. There is no point on the block that is lower than AHD 35.166, except he right back corner of 35.162.

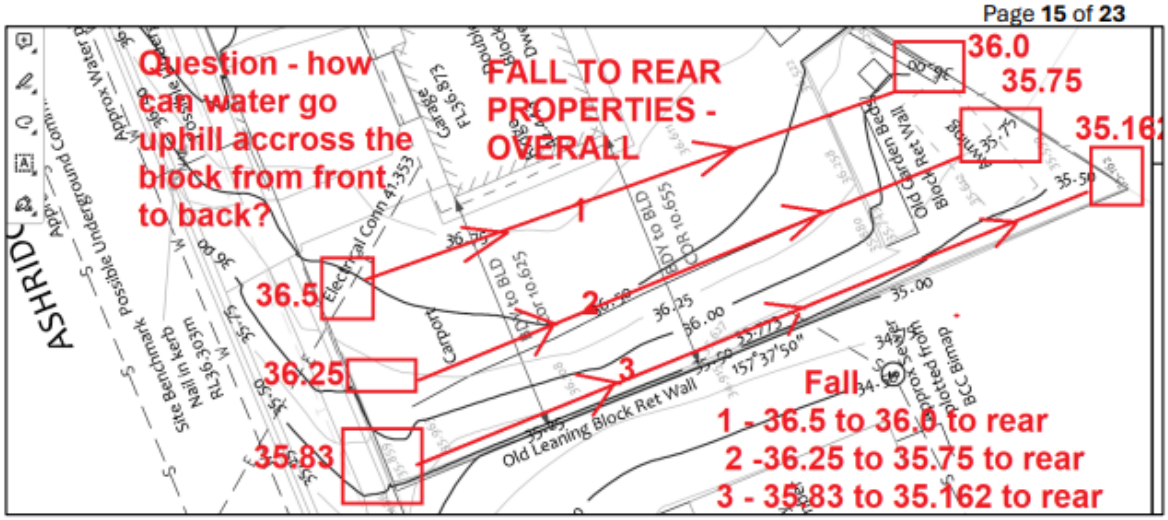
It is proposed to leave all remaining areas outside of the building pad to be untouched.This levels at the rear of the usable pad are already average 1:6. But that is irrelevant since they will be untouched.

There are hundreds of examples of approved plans where a pad level is provided to BCC and accepted as a usable pad for stormwater and building purposes. This pad is

Letter to Council/City Legal 10-10-24

Letter to City Council/City Legal 10/10/24 filed 4-12-24

Index



As can be seen from this analysis, any fool can see that normal surface water cannot travel from any part of the rear to the front of the subject block.

12. Can Council please explain how the rear properties of the subject property are "Upslope Properties" under this overall test ?

F. Fill. It does not make sense that a site should be filled if it is already supposedly downhill from the upslope site.

13. Can BCC advise why there is a need for fill if the subject site is downslope from the rear lots ? A very simple question I am sure the judge will ask.

Council fraud cutting corners with pipe not placed within 600 mm from boundary

Council has not complied with BSD Drawing BSD 8111 by providing the pipe 600mm from the boundary. This would appear to be intentional deception and fraud by BCC as BCC has shortened the line on purpose. The result of this deception is -

- A shorter line, thereby attempting to pervert the fact that the proposed line is charged.
- Avoiding a lower pipe. The ground falls to the right side and the rear property, not the subject property.

Letter to Council/City Legal 10-10-24

Letter to City Council/City Legal 10-10-24 filed 4-12-24

Index

Letter sent to City Legal 10-10-24

Above Form 15 RPEQ approved STA replacement retaining wall engineering.

20. Is BCC aware that no amount of fill, one inch or ten metres, can raise the alleged Upslope property stubs?

It is simply ludicrous that Council think that fill can magically change the height of the neighbours stub.

This stub needs the appropriate amount of cover.

There no future walls proposed in excess of 1.0m in height on the site. The existing retaining wall on the right will be replaced and is not a part of the scope of works for this site. A form 16 structural certificate will be provided. A Form 15 is in my possession now.

STA Consulting have provided a Form 15 for the right side retaining wall.

"Retaining wall and footings are to be wholly within property boundaries"

It appears that the BCC proposed retaining wall needs to be set back over one metre. In the asbence of a legal point of discharge for the retaining wall, there needs to be enough grass to soak up any multiple ag pipes protruding out of the wall.

21. Once again, Is the Council proposing a Roman aquaduct system to achieve legal point of discharge for Lot 99?

"Is BCC aware that no amount of fill, one inch or ten metres, can raise the alleged Upslope property stubs?"

"It is simply ludicrous that Council think that fill can magically change the height of the neighbour's stub."

Letter to City Council/City Legal 10-10-24 filed 4-12-24

Index

Letter to Council/City Legal 10-10-24

I require your responses by 5pm Thursday 10/10/24.

Should you choose not to respond, this action or nonaction may be taken into account by an Planing Court Judge. I reserve my right to claim damages for your no responses which may cause extra costs.

I am entitled to responses to all questions since Council is the author and designer of the stormwater line. I am not the author. I would have responded to an information request should one have been sent. Once again, you have boxed myself into extra costs now.

If you are proven to be wrong it is BCC who will pay the costs. You had your chance.

I shall be fleshing the site brisbanecitycomplaints.com.au out soon with this case study and will publish your response or no response for the public to see any time anywhere in the world, 24 hours a day. It will be the team members chance to shine. Think of it as a positive.

Council No response.

29. Why is it that no members of the Margaret Orr team can respond to questions?

I give an example of BCC Principal Engineer below providing a response to a stormwater question within 24 hours of a question on a BCC designed stormwater system.

Index

12-11-24. Letter to Sara Sara McCabe, City Legal and 6 Council employees

12/11/24 (2)

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

12-11-24

12-11-24 Letter Manteit to City Legal, 6 Council employees page 1 of 3

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Sara McCabe
City Legal
Joel Wake
Zarndra Piper
Tom Gibbs
Scott Ruhland
Lucy Ting
Margaret Orr

Dear Sirs and Madams

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

I require the Council to provide explanation of how the Council requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit many times, but refused to supply.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval and the constraints of S 7.4.7 above.

Crosssection of proposed trench

Build over sewer consent.

Vibration and compaction details.

Index

12-11-24 Letter to City Legal, Council employees, Court Doc 14, filed 4-12-24

3

Name of Council person who designed the red line and their licence number.

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

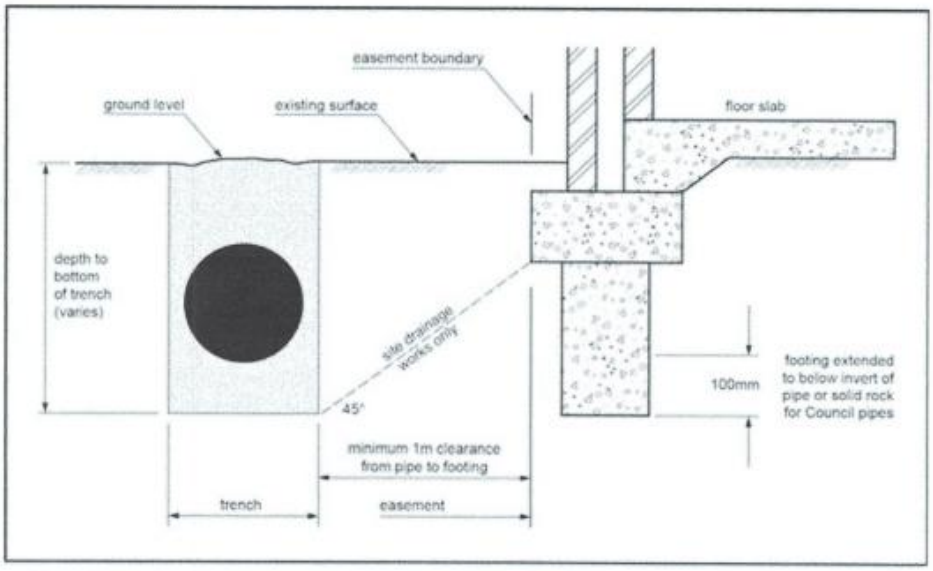


Figure 7.4.7a—Building near and over stormwater and subsoil drains

Index

Letter 12-11-24 to City Legal, Council employees, Court doc 14, filed 4-12-24

(4)

The delegate Mr Joel Wake did not make an information request to David Manteit to prepare a stormwater plan for 128 Ashridge Rd Darra, as he did on the case of 143 Wakefield St Bald Hills, on 4-4-18.

The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed. A separate legal notice has been issued today for separate court action. That notice will no doubt be ignored as past warnings have not been acknowledged. That is Council's policy, as per Sara McCabe advices.

Please ensure that Council addresses all items underlined above.

The Stormwater line cannot be built as per Council's own guidelines.

Council refuses to supply a copy of the **Easement document**, which is a requirement of 7.4.7.

I await your advices by Wednesday 13-11-24 .

If Council cannot or will not provide the design question information to satisfy the requirements of S7.4.6.7 being Council's own requirements, then the only conclusion is that the red stormwater line cannot be built.

If that is the case Council should remove the red line and conditions forthwith as a S 230 appeal is a waste of time for everyone concerned.

Council have made many blunders including fill requirements. The list of blunders is endless.

This topic is approximately ten of about 20 different arguments as to why the so called red line cannot be built, even if one wanted to.

These requirements and questions are asked in the ordinary course of business. This letter may or may not form part of a future S 230 appeal.

Regards

DAVID MANTEIT

Index

Flood warnings to Council – Notice of Appeal 19-11-24

Notice of Appeal 19-11-24 . Manteit "There is no known case of Council designing red lines.
Especially when it is blatantly obvious that the red line is charged by at least .984 metres below the kerb...."

At the very least Council should have the decency to explain on the telephone some reasoning for the sham stormwater pipe. Council refuse to respond to all methods of enquiry.

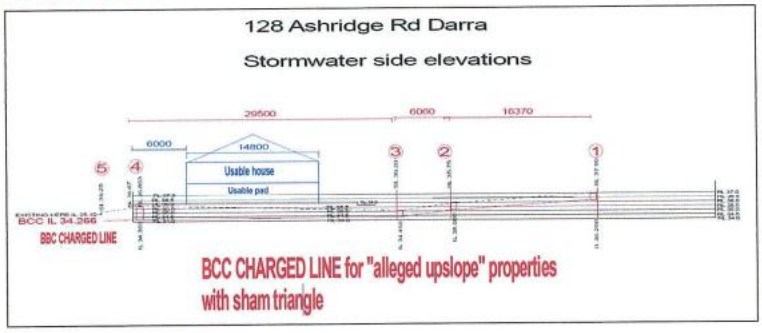
There is no other known case of Council designing red stormwater lines. Especially when it is blatantly obvious that the red line is charged by at least .984 metres below the kerb, cannot work with 20,000 tonnes of fill, is non complaint with BSD 8111 and BSD 8113.

12. Council has designed the red line and is therefore the **author of the red line** and therefore has a legal requirement to supply all information on the design of the red line to the applicant.

Manteit - "Council has designed the red line and is therefore the author of the red line and therefore has a legal requirement to supply all information on the design of the red line to the applicant."

19-11-24 Expanded Grounds of Appeal. BCC charged line for "alleged" upslope properties"

Page **14** of **48**



Above – appellant's crosssection Council red line with BSD non-compliant sham triangle.
All pits view.

Index

Statements made by Manteit in relation to Council flooded plans - Expanded Grounds of Appeal 19-11-24

19-11-24 Expanded Grounds of Appeal. "BCC charged system malfunction in metres -.834, .894"

Scenario 1 - 300 pipe, 450 cover and .5 degree fall as per BSD 8111 requirements
Calculations done against red line shown on BCC approved plan.
Based on fully developed 4 houses = 60 litres/second, 300 pipe, 83 litres/second
100*75 RHS pipes across verge.

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	6.060	29.500	3.750	55.680	
SL at boundary	36.700	35.650	35.162	35.859			
Fall of natural ground - rear neighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL used for Pit	37.000	35.750	35.200	35.859	35.250		
New start of line invert level brought forward		36.250	35.000	34.450	34.303	36.250	
(B) Min depth - pipe 300 and and cover 450	0.750						
(C) Min Invert level depth	36.250						
Fall .5% on property, 1% at verge		0.082	0.030	0.148	0.038	-0.297	
(D) Invert level end of line after fall		36.168	34.970	34.303	34.266		
(E) Prima facie depth (needs to be +.750 or .15 at kerb)		-0.418	0.230	1.557	0.985		
Distance the pipe needs to be lowered by for min cover		1.168	0.520			-1.688	
Adopted Min invert level with 300 pipe and 450 cover carried forward		35.000	34.450	34.303	34.266	34.265	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres					-0.834		

Above - **BSD 8111 calculations below, including sham triangle.**
300 pipe, 450 cover, fall .5 % on property, fall 1% on verge.

Result - .834 m charged

Scenario 3 - 300 pipe, 450 cover and .5 % fall as per BSD 8111 requirements
Calculations done against red line shown but taking out sham triangle
Based on fully developed 4 houses = 60 litres/second 300 pipe. 84 litres/second
100*75 RHS pipes across verge.

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	7.279	33.750	3.750	61.149	
(A) SL used for Pit	37.000	35.750					
Fall of natural ground - rear neighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL at neighbour boundary (1,2) or 600 mm inside (3,4,5)	36.700	35.650	35.162	35.859	35.250		
New start of line invert level brought forward		36.025	34.900	34.412	34.243		
(B) Min depth - pipe 300 and and cover 450	0.675						
(C) Min Invert level depth	36.025					36.025	
Fall 1. % on property, 1% at verge		0.082	0.036	0.169	0.038	-0.324	
(D) Invert level end of line with fall.		35.943	34.864	34.243	34.206		
(E) Prima facie depth (needs to be +.75 or .15 at kerb)		-0.293	0.298	1.616	1.045		
Distance the pipe needs to be lowered by for min cover		1.043	0.452			-1.495	
Adopted pit Min invert level 300 pipe and cover 450		34.900	34.412	34.243	34.206	34.206	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres		34.900			-0.894		

Above – BSD 8111 - build red line taking out the non-compliant triangle at rear, with BSD guidelines. 300 pipe, 450 cover, .5% fall.

Result .894m charged.

Deponent _____ Justice of the Peace _____

Index

19-11-24 Expanded Grounds of Appeal. "Result - 1.212 m charged"

Scenario 5 - Service Lots 98, 99 BSD 8111 pipe 600mm from boundary at all times.
More conservative 1% fall, 300 cover, take out sham triangle.
Note pit 2 disappears but is included in calculations.
Calculations done taking out sham triangle. 300 pipe, 1% fall, 600 cover,
Based on fully developed 4 houses = 60 litres/second 300 pipe. 83 litres/second
100*75 RHS pipes across verge.

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	7.279	33.750	3.750	3.750	
(A) SL used for Pit	37.000	35.750					
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL at neighbour boundary (1.2) or 600 mm in, 3,4,5	36.700	35.650	35.162	35.859	35.250		
New start of line invert level brought forward		35.800	34.750	34.262	33.925		
(B) Min depth - pipe 300 and and cover 600	0.900						
(C) Min Invert level depth	35.800					35.800	
Min .5% fall, 1% over verge		0.164	0.073	0.338	0.038	-0.611	
(D) Invert level end of line.with fall.		35.636	34.677	33.925	33.888		
(E) Prima facie depth (needs to be + .825, + .15 (kerb)		0.014	0.485	1.935	1.363		
Distance the pipe needs to be lowered by for min cover		0.886	0.415			-1.302	
Adopted pit Min invert level 225 pipe and cover 600		34.750	34.262	33.925	33.888	33.887	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres		34.750			-1.212		

BSD 8111 Build red line taking out triangle with 300 pipe, 600 cover, fall 1% on property, 1% on verge. To be more conservative.

Result – 1.212 m charged

Conclusion – Stormwater calculations are all charged. Stormwater pipe cannot be built.

Action required by Council –Remove S 18 conditions and red line

2) Will / can fill fix up the already malfunctioning BCC designed stormwater pipe ?

Topics –

Nominated bulding pad level
Usable building pad
Retaining walls
Small Lot Code
Building Envelope Plan
Where does the water want to go – Existing levels

Nominated building pad level

This report states that the Usable Building Pad Level is nominated in this report to be FSL 36.0 or thereabouts.

Deponent _____ Justice of the Peace _____

Index

12-11-24. Letter toMcCabe, City Legal, 6 Council employees

12/11/24 (2)

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

12-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Sara McCabe
City Legal
Joel Wake
Zarndra Piper
Tom Gibbs
Scott Ruhland
Lucy Ting
Margaret Orr

Dear Sirs and Madams

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

I require the Council to provide explanation of how the Council requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit many times, but refused to supply.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval and the constraints of S 7.4.7 above.

Crosssection of proposed trench

Build over sewer consent.

Vibration and compaction details.

Index

26-11-24 Letter to Sara McCabe, City Legal, 6 Council employees, Court doc 14, filed 4-12-24

26-11-24 Letter to McCabe, City Legal, 6 Council employees, Court doc 14, filed 4-12-24

(12)

26/4/24

12/1/24, 8:53 PM Mail - david manteit - Outlook

Outlook

FORM 15 REQUIRED DAVID MANTEIT V BRISBANE CITY COUNCIL 2916/24

From david manteit <davidmanteit@hotmail.com>
Date Tue 26/11/2024 12:16 AM
To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>
Cc lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; CityLegal <city.legal@brisbane.qld.gov.au>; ccu@justice.qld.gov.au <ccu@justice.qld.gov.au>

2 attachments (4 MB)
retainingwallstraight.pdf; 25-11-24 plan view.pdf;

Att Ms McCabe and others

1. I attach for your information Form 15 of STA Engineering Retaining wall, so that you may examine it in detail. I have previously sent you extracts many times.

2. In the interests of clarity and transparency I also attach a draft plan view for discussion demonstrating
no fill required.

2. I state that I wish to build a retaining wall on the right boundary and declare that this wall is a necessary replacement as advised in the survey plan "leaning over". I give you full notice in this letter now.

I have a right to replace the retaining wall any time I and the neighbour please.

Today Sara McCabe has advised that BMCT will not discuss any matters. That means that they refuse to discuss nor meet onsite to discuss my intention to build a retaining wall.

The neighbour requires the retaining wall be replaced as a matter of safety. A consent letter will be provided in due course, and will be forwarded to Council if and when Council rescind the order not discuss matters with BCMT.

I do not expect any stop work orders on this remedial work. I mention that the engineering provided is sufficient to support a usable house. Please have your Assessment Team advise same.

I mention that there is no engineering wall in the world that can be designed that is not in conflict with Council designed upslope stormwater line. Council refuses to supply engineering for such a wall. Many past letters have been refused to be responded to in the ordinary course of business.

3. I now require Council to provide a Form 15 for their engineering design of -

Upslope stormwater line, 4 pits and one kerb crossing
Internal stormwater line, 2 pits and one kerb crossing
Earthworks to Fill the site as required 3 times in the approval, S12,17,18.

https://outlook.live.com/mail/0/id/AQMkADAwATEwYjE4LTdkMDQtYWEAZjctMDACLTAwCgBGAAADsEhjQeyMuEONhv1fQjkLHgcAbXG%2FIBSZTU... 1/3

Index

DA Approved 25-9-24 Onsite Drainage Plans

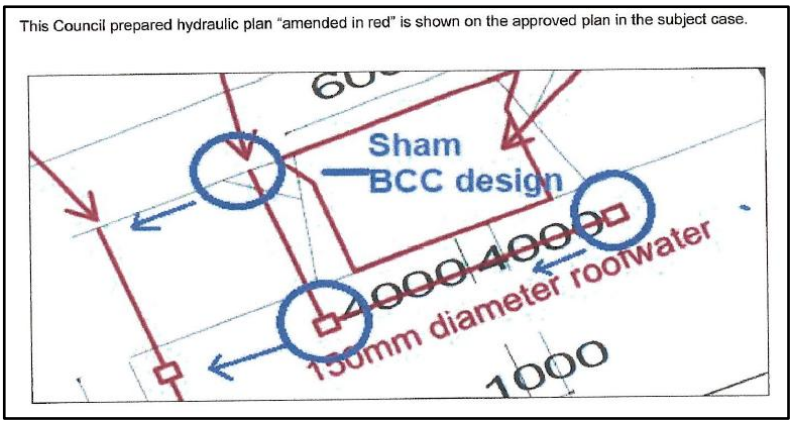
Alleged Contempt of Court

1. It is a criminal contempt of Court, by an act of omission, for 7 months, by the Respondents that the Respondents have prepared and approved Onsite Drainage plans that were inciting the breaking of Council Laws and causing fines of up to $750,000 by a the private RPEQ or owner to construct the kerb adaptor at the DA approved location of 5.1m up from the low side of the kerb -

- PSP 7.6.2 (3) the kerb adaptor being more that 400mm from the low side of the kerb.
- BSD 8113 the kerb adaptor being more than n00mm from the low side of the kerb.

2. It is a criminal contempt of Court by the Respondents that the Respondents have incited Manteit's RPEQ to lose his licence and fine of $751,000, by the RPEQ constructing the Onsite Drainage kerb connection

S164 of the Planning Act, if pipes were built to Council laws, but not complying with the DA approval.



S84 of the Building Act – not adhering to previous DA approval.

Onsite Drainage plan, as shown in the Notice of Appeal 19-11-24

Laws broken by the unlicenced Council employees

The Onsite Drainage plan was not RPEQ certified – in contravention of Schedule 2 of the Professional Engineers Act 2002. Unsatisfactory professional conduct of a registered professional engineer.

The unlicenced Council employees placed the kerb adaptor 5.1m up from the low side of the kerb, instead of 400mm from the low side of the kerb.

The Council employees contravened PSP 7.6.2.(3) (400 mm from low side of the kerb)

7.6.2 Roof water disposal in residential areas

(1) All lots that do not fall directly towards the road must be provided with a rear allotment roof-water drainage system. The inter-allotment drains should generally be placed in the allotments which they serve directly. This system is detailed in BSD-8111 and BSD-8112.
(2) Roof-water drainage systems are classified as private drains with the responsibility for future maintenance lying with the property owners.
(3) In local residential streets, an approved full height kerb adaptor must be provided in the kerb, 400mm from the projected low side boundary for each lot.
(4) In streets where footpaths will be constructed, kerb adaptors as per above with a length of UPVC pipe (sewer class SN8) extended from the adaptor to beyond the concrete footpath are required as per BSD-8114.
(5) All roof-water pipes >150mm nominal diameter are to connect to a stormwater gully or maintenance hole.

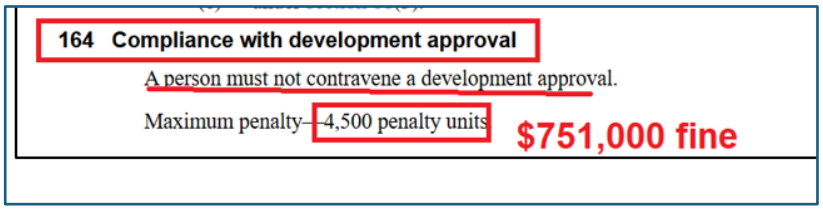
Council, Cr Schrinner and Dr Freeman forced Manteit RPEQ to lose his licence if he prepared the flooded DA approved onsite drainage Plan

Index

Law broken by applicant engineer - Schedule 2 of the Professional Engineers Act 2002. Unsatisfactory conduct of a professional engineer.

The Council employees contravened PSP 7.6.2.(3) (400 mm from low side of the kerb)

Council, Cr Schrinner and Dr Freeman forced Manteit RPEQ to lose his licence and receive a fine of $751,000 in contravention of S164 of the Planning Act 2016.



Manteit RPEQ would have complied with Council laws, but would be in contravention of the development approval.

Index

20. Proposed orders by Manteit to the Court for hearing on 12-12-24

Alleged contempt of Court

1. It is criminal contempt of Court for Sara McCabe and all the Respondents, by an act of omission, to refuse to provide to Manteit and the court engineering information on their own engineered source documents, being -

- DA approval locations of fill required under Conditions 12, 17 and 18. ('the site must be filled")
- Da approval Upstream Drainage surface levels and invert levels of 6 pits and kerb crossings.

Background of this section

1. On 11-12-24, Manteit sent Sara McCabe draft orders, for the Hearing on 12-12-24.

2. On 12-12-24, at the hearing, His Honour Judge Williamson KC rejected Manteit proposed orders for -

"The Respondent to provide information regarding approved Council amended in red engineered and designed plans, plus locations of fill where conditions have mentioned "The site must be filled" to the Appellant by 19-12-24. This includes surface levels and invert levels of 6 pits and kerb crossings, by 24-12-25."

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

"The Respondents to supply a detailed response to the Appellant's Notice to Appeal and expanded grounds of appeal, by 31-1-24."

3. McCabe nor Schrinner Council never supplied the Council engineered fill calculations to Manteit.

4. Council remove the fake until conditions 12, 17 and 18 fill condition wording Council on 31-1-25.

5. Council wasted Manteit's time for 4 months, due to unlicenced Civil engineering performed by Council employee Scott Ruhland and others. That information will be assessed further by the CCC.

Index

In the Planning and Environment Court **Appeal No. 2916/24**

Manteit V Brisbane City Council

Date for review 12/12/24

ORDER

Before: His Honour Judge Williamson KC
Date of hearing: 12 December 2024
Date of order: 12 December 2024

1. There were no agreements made by the parties for deletion or changes to plans or conditions, at the ADR conference held on 9-12-24.

2. It is declared by this Court/His Honour that any replacement of the leaning over retaining wall on the right side of the subject land , approx 33m long, by the owner, is not part of the conditions of the Approval A006565555, dated 25-9-24.

3. The Respondent shall, in the interest of saving time and cost for all parties, provide a response to the Applicant's letter of 11-12-24, and so called Appellant's claim of a list of the Respondent's typographical errors, (typos) , to the Appellant, by 19-12-24.

3. The parties shall supply to each other by 19-12-24 the terms of reference for an Engineer witness in relation to the *order of assessment* for an Upslope property Stormwater connection and hydraulic system design by the Engineer, such as but not limited to –

- Definition of Upslope property and downslope property and whether the definition would result

- The following of Council SC6.16 Infrastructure design planning scheme policy, Chapter 7 Stormwater drainage and whether these policies would result

- The following of Council standard design drawings including BSD 8111, 8113 and 8114 and resulting calculations an engineer would make in their report.

- Any clashes of engineering with Council's red stormwater red lines with other items

- Any reason why the so called Upslope property connections cannot be designed and built, including after examining the above order of assessment.

4. The Respondent is to provide all information regarding approved Council amended in red engineered and designed plans , plus locations of fill for where conditions have mentioned "The site must be filled" to the Appellant by 19-12-24, This includes surface levels and invert levels of 6 pits and kerb crossings, by 24-12-25.

5. The Respondent shall supply a detailed response to the Appellant's Notice to Appeal and Expanded Grounds of Appeal, by 31-12-24.

7. The parties shall provide an agreed terms of reference for an Engineer's expert witness by 15-1-25.

8. The matter shall be adjourned for further review and directions by His Honour on 28/1/25.

Index

21. Use of fake fill conditions removed by Schrinner Council on 31-1-25.

Alleged Contempt of Court

1. It is a criminal contempt of Court by all the Respondents, as an act of omission, for four months, by McCabe and Schrinner Council, to withhold fill requirement information from Manteit for 4 months and the Court, (as required by UPCR Rules – Reg 211), as stated in Conditions 12,17 and 18.

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

Schrinner Council unlicenced employees were the authors of the RPEQ (if) engineered fill conditions.

2. It is a criminal contempt of Court by all the Respondents being an act of omission, for 4 months, to knowingly withhold the fill requirement information from the Court and Manteit, as stated in Conditions 12,17 and 18, required in common law and UPCR reg 221.

No engineer could start to discuss the engineering, with any experts as advised by Manteit to His Honour on 12-12-24, until the fill conditions were removed.

UNIFORM CIVIL PROCEDURE RULES 1999 - REG 211

Duty of disclosure

211 Duty of disclosure

(1) A party to a proceeding has a duty to disclose to each other party each document -
(a) in the possession or under the control of the first party; and
(b) directly relevant to an allegation in issue in the pleadings; and
(c) if there are no pleadings—directly relevant to a matter in issue in the proceeding.

Note—

Under the *Acts Interpretation Act 1954* , *schedule 1* -

"document" -

(a) means a record of information, however recorded; and
(b) includes—
(i) anything on which there is writing; and
(ii) anything on which there are marks, symbols or perforations having a meaning for persons qualified to interpret them; and
(iii) an electronic document.
(2) The duty of disclosure continues until the proceeding is decided.

3. It is a criminal contempt of Court by the Respondents, as an act of omission for 4 months, to **withhold relevant information on their own authored and engineered fill conditons** from the Court and Manteit for four months, until removing those fill conditions on 31-1-25, as required by UPCR rules 1999 – Reg 211 and common law.

Index

The information requested by Manteit was directly relevant to an allegation in issue in the proceeding, that Manteit achieved lawful point of discharge without one teaspoon of fill required.

4. It is a criminal contempt of Court by an act of omission, by Schrinner Council to fail to audit incompetetent an corrupt (as per CCC allegations 17/9/25) employees like Scott Ruhland, to perform **corrupt unlicenced Civil engineering** in relation to the designing and Civil engineering of fill conditions, without an RPEQ licence.

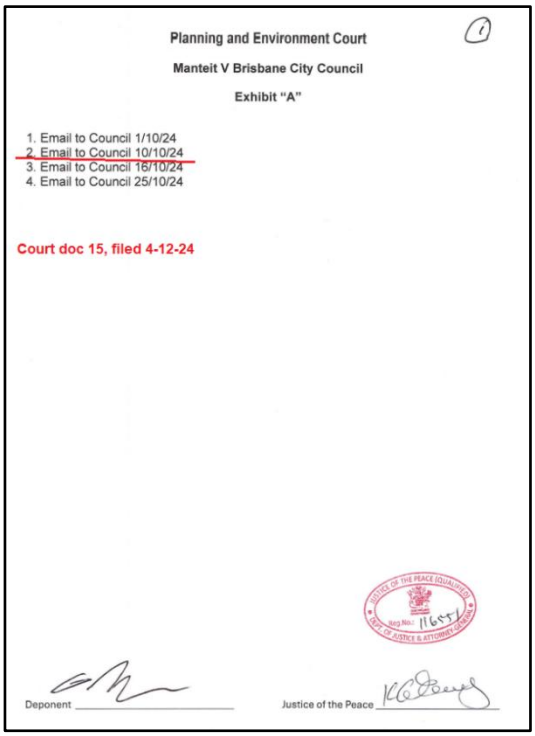
There is evidence in the RTI documents that Scott Ruhland and 6 other unlicenced Council employees provided unlicenced fill engineering.

5. It is a criminal contempt of Court by the Respondents, by an act of omission, to thwart the prosecution by Manteit of his case, for 4 months until the Notice of disputed reasons on 31-1-25, to remove the fill conditions and thwart Manteit's case unnecessarily for 4 months from 25-9-24 until 31-1-25.

Background.

1. Schrinner Council placed requirements for fill by Manteit in conditions 12,17 and 18 of the DA approval dated 25/9/24, for no reason whatsoever. Schrinner Council never audited their incompetent unlicenced fill engineers.

2. These fill conditions were removed or modified by Council on 31-1-25.3. Manteit wrote to around 7 Council employees on 1/10/24, 11/10/24, 14/10/10/24 (filed 14-1-26) and in many other letters and requested them to provide information regarding their own source document, being the fill conditions, of where the fill would be required to be placed, but they never responded to Manteit.


Planning and Environment Court

Manteit V Brisbane City Council

Exhibit "A"

1. Email to Council 1/10/24
2. Email to Council 10/10/24
3. Email to Council 18/10/24
4. Email to Council 25/10/24

Court doc 15, filed 4-12-24

Deponent

Justice of the Peace

3. Manteit wrote to around 7 Council employees on 1/10/24 and in many other letters and requested them to provide information regarding their own source document, being the fill conditions, of where the fill would be required to be placed, but they never responded to Manteit.

4. The fill conditions should have been designed by an RPEQ engineer.

5. It is Dr Freeman and Cr Schrinner who are responsible for their deceitful and corrupt employees, as per letter from the Crime and Corruption Commission to Manteit, dated 17-9-25.

Dr Freeman and Cr Schrinner failed to audit the incompetent engineering acts by the Council employees at any stage, it appears.

Hence, the Respondents should be charged with Contempt of Court for withholding information and to the Court from 10/10/24 until 31-1-25.

The Respondents had one hearing on 12-12-24 to inform the court and Manteit, of where the fill

Index

should go, but they did not.

Index

Letter to Council employees 10/10/24

Court doc 15, filed 4-12 24

"Please advise what associated earthworks would be required to "enable" when it is painfully obvious the AHD35.166 at front boundary commands the block and a legal point of discharge is already enabled..."

"Please demonstrate why the site must be filled to enable lawful point of discharge ..." (14)

2. **Please advise what associated earthworks would be required to "enable" when it is painfully obvious the AHD 35.166 at front boundary commands the block and a legal point of discharge is already enabled and all existing and future levels are above 35.6 which is some 400 mm above the AHD 35.166 at the front boundary.**

3. **Please demonstrate why the site must be filled to enable lawful point of discharge for the Ashridge Rd lots.**

"Provision of a stormwater drainage connection for upslope properties."

I have attached plan view and crosssection to demonstrate that the red line shown of the approved plan is charged.

The red line is charged by .907 m using BSD 8111 requirements of 225mm pipe, 450 cover and .5% degree fall, but using illegal
sham triangualr line which is not within 600 mm of the boundary

The red line is charged by .984 m using BSD 8111 requirements of 225mm pipe,450 cover and .5% degree by using legal method
of keeping line within 600mm of the boundary.

The red line is charged by 1.269m by using conservative 225mm pipe,450 cover and 1% degree fall.

4. **Please advise if you disagree with the above statements highlighted in yellow..**

5. **Please provide BCC surface and invert levels of BCC proposed stormwater red line plan for supposed
upslope rear lots used in the assessment of the red line.**

There is no definition of "Upslope" or "Upslope Lots in BCC definitions".

Index

21

Letter to Council employees.

10/10/24 - "AHD of 35.166 at kerb will command the lot without a teaspoon of fill required"

"The development site must be filled to ceate a usable building pad for proposed Lot 2"
"A charged system does not achieve an acceptable point of discharge"

AHD of 35.166 at kerb will command the lot without a teaspoon of fill required.
Minimum existing AHD of proposed building pad is 35.6 .
See crossections and Calculations. It is proposed that the site is to have an AHD of 36.0 on the building pad, sloping away to existing levels
for the rest of the site, without requiring filling.

18. Can the Council please advise why the Council believe the AHD of 35.166 at the boundarey, minimum levels of 35.6 existing and 36.0 of the usable pad the Ashridge Rd lots will be charged.

S13 Retaining walls

"18. Can the Council please advise why the Council believe .... the Ashridge Rd lots will be charged"

Court doc 15, filed 4-12-24

17) **On Site Drainage - Minor**

Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater ru from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Plan Scheme Codes to the existing kerb and channel in Ashridge Road and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a usable buildi pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel. A charged system does achieve an acceptable lawful point of discharge.

Index

The Respondents knew that the fill conditions and wording were unnecessary but chose to waste the Courts valuable time and resources.

The contempt of court is contumacious by the Respondents since they had repeatedly refused to supply Manteit with the fill information prior to the Notice of Appeal 19/11/24.

The Respondents have been deceitful and caused 4 months delay in even talking to any Civil engineer about the whole case, until 31-1-25.

Manteit stated to Judge Williamson KC in the hearing on 12-12-24, similar words –

"This approval is a pile of garbage. Nobody knows where the fill goes. It would take expert engineers 500 years of meetings to work out where the fill went, before any discussions could be had on any other matters"

This unnecessary delay to remove the fill conditions and wording by the Respondents until 31-1-25 cost Manteit around $50,000 in holding costs.

- Condition 12 – removed on 31-1-25
- Condition 17 – removal of fill condition wording on 31-1-25
- Condition 18 – removal of fill condition wording on 31-1-25.

Any fool could see that the AHD 37.0 of Lot 2 was 2 metres higher than the kerb of 35.083.

Any fool would know that not a teaspoon of dirt was required to fill the lot to achieve lawful point of discharge.

The defendants all knew that there was no fill requirement to achieve lawful point of discharge but have chosen to thwart Manteit's case unnecessarily for 4 months from 25-9-24 until 31-1-25.

Index

22. RESPONDENT'S LIST OF REASONS WHY DISPUTED CONDITIONS SHOULD BE IMPOSED AND NOTICE OF ANY ALTERNATIVE CONDITIONS

("Notice of Disputed Conditions")

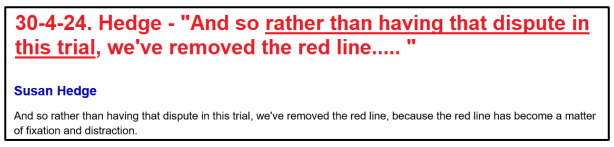
Note - I have shortened the "Respondents list of reasons why disputed conditions should be imposed and notice of any alternative conditions" to **"Notice of disputed conditions" for ease of reading.**

Contempt of Court

SUSAN HEDGE 24-4-25 Hedge "It won't work"
Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.
Hedge - "that won't work"
JUDGE WILLIAMSON
Okay. Well there we go.

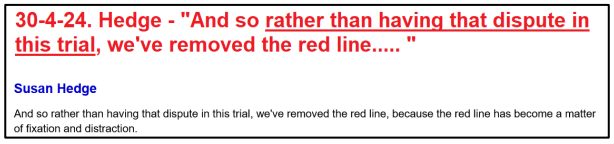
1. It is a criminal contempt of Court, by an act of omission, by all the Respondents, for 7 months, to deceive the Court by the Respondents to make the statement in the "Notice of Disputed Conditions" by Council 31-1-25, filed in Court, Court doc 23. - ***"represent one way"***, when the "one way" was flooded 1.2m under the Ashridge Rd kerb and >76 L/s as agreed by Susan Hedge, Corrigan, Civil Works and Manteit.

2. It is a criminal contempt of Court, by an act of omission for 7 months, by all the Respondents, to deceive the Court by all the Respondents to make the statement in the Notice of Disputed Conditions by Schrinner Council 31-1-25, filed in Court, Court doc 23. - ***"and not the only way"***. There is in fact, no way. There is in fact no upslope properties to 128 Ashridge Rd Darra. There is no "would drain through the development" There is no individual rear lot <30 L/s pipe velocity at the kerb.

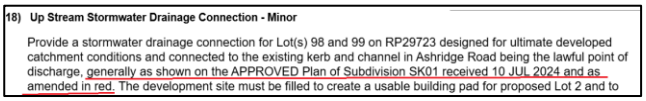

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "
Susan Hedge
And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

3. It is a criminal contempt of Court by the Respondents by an act of omission for 7 months, to deceive the Court by all the Respondents in that Schrinner Council **did not remove the Upstream Drainage red lines** as shown on the DA approved plan, dated 25-9-24, in the "Notice of Disputed Conditions", dated 31-1-25, for Upstream Drainage.

Susan Hedge informed Judge Williamson KC on 24-4-25, that the "one way" was flooded 1.2m under the Ashridge Rd kerb and >76 L/s pipe velocity as agreed by Susan Hedge, Corrigan, Civil Works and Manteit.


30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "
Susan Hedge
And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

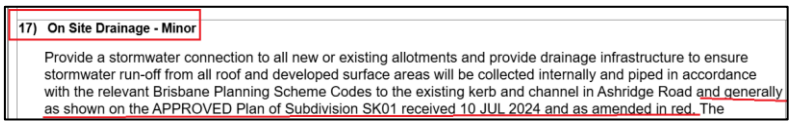
4. It is a criminal contempt of Court, by an act of omission for 7 months, by the Respondents to deceive the Court by all the Respondents that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan, dated 25-9-24, in the "Notice of Disputed Conditions", dated 31-1-25, for Onsite Drainage, being illegal under PSP 7.6.2, and BSD 8113, being more than 400mm from the low side of the kerb.


18) Up Stream Stormwater Drainage Connection - Minor
Provide a stormwater drainage connection for Lot(s) 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge, generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a usable building pad for proposed Lot 2 and to

5. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court by all the Respondents that the **wording of condition 18** was not changed in relation to the reference "as shown generally on the approved plan", when the wording was removed 5 minutes into the trial, on 28-4-25.

Index

6. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court by all the Respondents that the **condition 17** was not changed in relation to the reference **"as shown on the approved plan"**, when the wording was removed 5 minutes into the trial, by Susan Hedge, on 28-4-25.



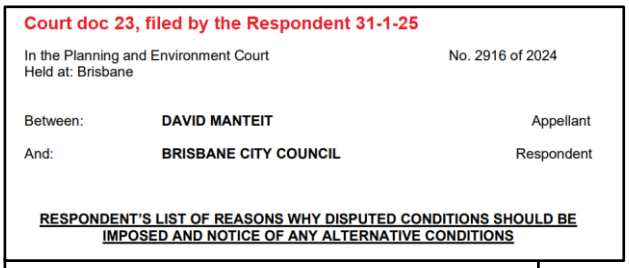
17) On Site Drainage - Minor

Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The

7. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, to deceive the Court that a requirement for timing of submission and approval by Council of engineering drawings prior to construction of the Upstream Drainage pipes was not stated in the Notice of Disputed Conditions, dated 31-1-25, but was tabled 5 minutes after the start of trial, on 24-4-25, by Susan Hedge.

8. It is a criminal contempt of Court by the Respondents to deceive the Court by Schrinner Council using the word "correspondence" instead of the word "corresponding" in the "Notice of Disputed Reasons"

9. It is Contempt of Court by Cr Schrinner, Dr Freeman , Sara McCabe (City Legal) and Schrinner Council to state that the Upstream Drainage red lines **"represent one way"**, as the Upstream Drainage pipes are flooded 1.2m under Ashridge Rd kerb and >76 L/s pipe velocity at the kerb, so they do not represent one way.

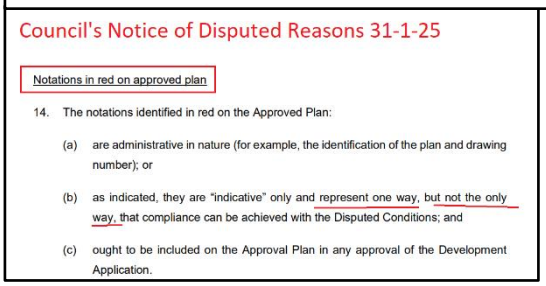


Court doc 23, filed by the Respondent 31-1-25

In the Planning and Environment Court — No. 2916 of 2024
Held at: Brisbane

Between: **DAVID MANTEIT** — Appellant
And: **BRISBANE CITY COUNCIL** — Respondent

RESPONDENT'S LIST OF REASONS WHY DISPUTED CONDITIONS SHOULD BE IMPOSED AND NOTICE OF ANY ALTERNATIVE CONDITIONS



Council's Notice of Disputed Reasons 31-1-25

Notations in red on approved plan

14. The notations identified in red on the Approved Plan:

(a) are administrative in nature (for example, the identification of the plan and drawing number); or

(b) as indicated, they are "indicative" only and represent one way, but not the only way, that compliance can be achieved with the Disputed Conditions; and

(c) ought to be included on the Approval Plan in any approval of the Development Application.

Background of this section.

1. As Judge Williamson KC stated on 30-4-25, even if there was a solution that "worked", it would not be generally in accordance with the DA approved red lines.

Susan Hedge replied to Judge Williamson KC **"I accept that"**

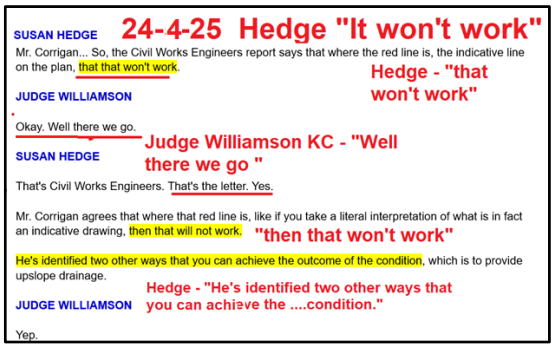
The Upstream Drainage plan was subsequently agreed by the Respondents to be 1.2m under Ashridge Rd.

"represent one way"

This statement is a lie by the Respondents and deception to the Court of the highest magnitude.

Index

Above - 24-4-25, Susan Hedge, 5 hearing minutes before the trial– "It won't work". "Then that will not work."



SUSAN HEDGE **24-4-25 Hedge "It won't work"**

Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Hedge - "that won't work"

JUDGE WILLIAMSON

Okay. Well there we go.

Judge Williamson KC - "Well there we go "

SUSAN HEDGE

That's Civil Works Engineers. That's the letter. Yes.

Mr. Corrigan agrees that where that red line is, like if you take a literal interpretation of what is in fact an indicative drawing, then that will not work. "then that won't work"

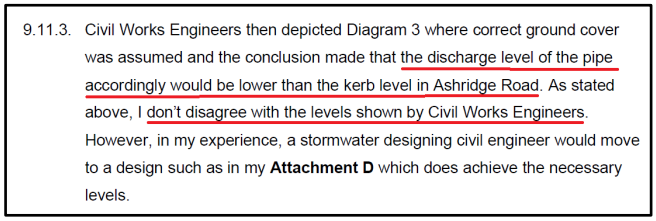
He's identified two other ways that you can achieve the outcome of the condition, which is to provide upslope drainage.

Hedge - "He's identified two other ways that you can achieve the ....condition."

JUDGE WILLIAMSON

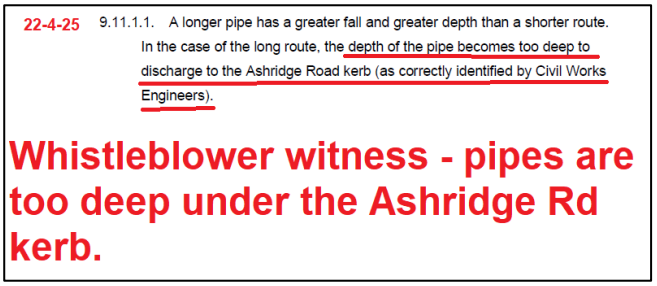
Yep.

Corrigan report 9.11.3 – "the discharge level of the pipe accordingly would be lower that than the kerb level in Ashridge Road" "I don't disagree with the levels shown by Civil Works Engineers"



9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers. However, in my experience, a stormwater designing civil engineer would move to a design such as in my **Attachment D** which does achieve the necessary levels.

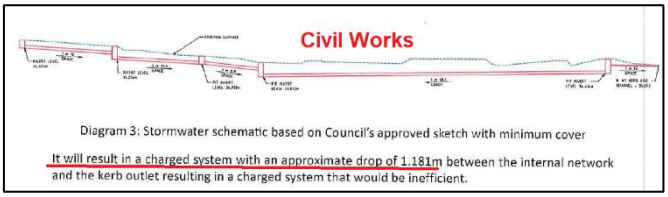
Corrigan report 9.11.1.1 – "the discharge level of the pipe accordingly would be lower that than the kerb level in Ashridge Road" "I don't disagree with the levels shown by Civil Works Engineers"



22-4-25 9.11.1.1. A longer pipe has a greater fall and greater depth than a shorter route. In the case of the long route, the depth of the pipe becomes too deep to discharge to the Ashridge Road kerb (as correctly identified by Civil Works Engineers).

Whistleblower witness - pipes are too deep under the Ashridge Rd kerb.

Civil Works report "It will result in a charged system with an approximate drop of 1.18n between the internal network and the kerb outlet, resulting in a charged system."



Civil Works

Diagram 3: Stormwater schematic based on Council's approved sketch with minimum cover

It will result in a charged system with an approximate drop of 1.181m between the internal network and the kerb outlet resulting in a charged system that would be inefficient.

Schrinner Council, Dr Freeman, **Cr Schrinner**, Susan Hedge and Sara McCabe have been been deceitful in refusing to inform Manteit and the Court at any time in seven months, of the Upstream Drainage plans being flooded.

Corrigan stated in his report filed in contempt of court on 23/4/25 that he agreed with Civil Works that the pipes ended up 1.2m under the Ashridge Rd Kerb and were 76 L/s velocity at the kerb, breaking many Council laws, including the laws of gravity.

Any designing of the Upstream drainage pipes by Manteit engineer Civil Works would have caused them to lose their RPEQ licence.

Any designing of the pipes by Civil Works of any other system **would not be generally in accordance with the red lines**, as per Judge Williamson KC on 30-4-25 to Susan Hedge. Sara Sara McCabe insists on fooling the Court with intentional errors. It appears that Sara Sara McCabe does not seem to know when to use the word correspondence or corresponding;

Index

Sara McCabe insisted on fooling the Court with using the word "correspondence" many times, which does not exist in any Acceptable Outcomes.

[6] The Respondent also alleges non-compliance with the correspondence AO4.2.

[1] The Respondent also alleges non-compliance with the correspondence AO4.1.
[2] And the guidance provided in the *Infrastructure design planning scheme policy*.
[3] The Respondent also alleges non-compliance with the corresponding AO2.2.
[4] The Respondent also alleges non-compliance with the corresponding AO3.4.
[5] The Respondent also alleges non-compliance with the corresponding AO11.1 and AO11.2.

Notice of Disputed Reasons" 31-1-5, Court doc 23.

31-1-25 Sara McCabe insists on using the word "correspondence"

[7] The Respondent also alleges non-compliance with the correspondence AO1.
[8] The Respondent also alleges non-compliance with the correspondence AO2.2.
[9] The Respondent also alleges non-compliance with the corresponding AO3.2.
[10] The Respondent also alleges non-compliance with the corresponding AO4.1.

[11] The Respondent also alleges non-compliance with the correspondence AO4.1.
[12] And the guidance provided in the *Infrastructure design planning scheme policy*.
[13] The Respondent also alleges non-compliance with the corresponding AO2.2.
[14] The Respondent also alleges non-compliance with the corresponding AO11.1 and AO11.2.

[15] The Respondent also alleges non-compliance with the correspondence AO3.2.
[16] The Respondent also alleges non-compliance with the corresponding AO1.1.
[17] The Respondent also alleges non-compliance with the corresponding AO7.
[18] The Respondent also alleges non-compliance with the corresponding AO1.
[19] The Respondent also alleges non-compliance with the corresponding AO3.1.

Index

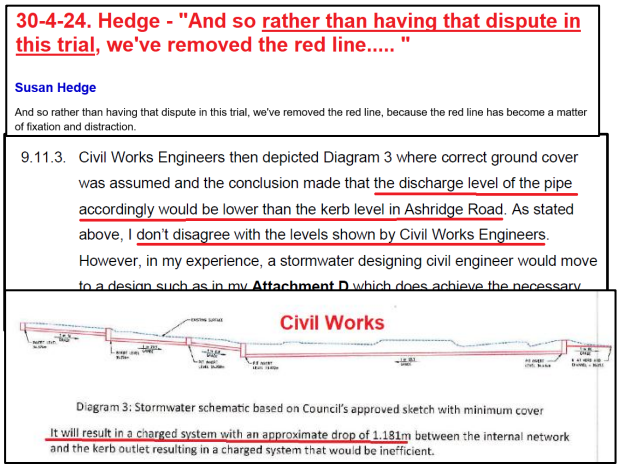
23. Hearing 12-2-25

Alleged Contempt of Court

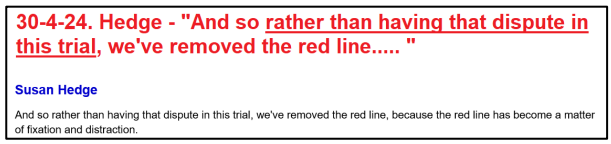
1. It is contempt of Court to deceive the Court on 12-2-25, by all the Respondents, as an act of omission for 4 months that Schrinner Council **did not remove the Upstream Drainage red lines from the "Notice of Disputed Reasons", as shown in the DA approved plan.**

This was an act of omission by all the Respondents.

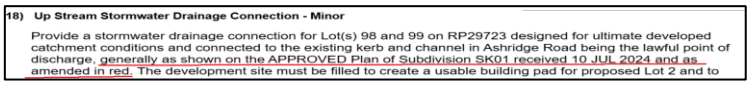
The Upstream Drainage red lines were removed on the day of trial on 28-4-25 by Susan Hedge.



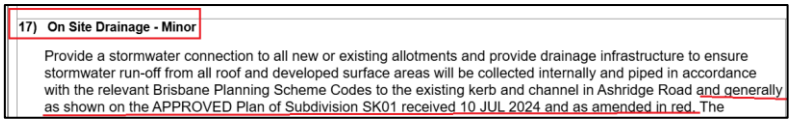
2. It is contempt of Court to deceive the Court by all the Respondents, by an act of Omission for 4 months, that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan.



3. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months, that the **condition 18** was not changed in relation to the reference "as shown on the plan" was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.



4. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months, that **condition 17** was not changed in relation to the reference "as shown on the plan", but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.



This was an act of omission by all the Respondents.

5. It is contempt of Court to deceive the Court by all the Respondents, as an act of omission for 4 months that the timing of submission of engineering drawings in condition 18 was not changed to before construction of the pipes from after construction, but was tabled and changed 5 minutes into the trial, on 28-4-25 by Susan Hedge, and stated as being a significant issue in the case.

This was an act of omission by all the Respondents.

Index

Background to the Hearing of 12-2-25

His Honour Judge Williamson KC directions for the filing of material.

1. Dr Freeman, Susan Hedge, Sara McCabe and Council have intentionally chosen to defy the intentions of Judge Williamson KC on 12-2-25 which was asking the council to file their material “and then I’m going to ask the council to do the same and then we are going to a trial”

12-2-25

Judge Williamson KC - "you give the Council all the material you want to rely upon a trial and then I'm going to ask the council to do the same in rturn, and then we are going to trial

Judge Williamson KC

I do mind. You've had plenty of opportunity. It's my turn. Sorry. This is what I'm going to do. I'm going to order the matters case managed by me. There are not going to be any joint meetings. What we're going to do is, we're going to do this old school.

There's going to be an exchange of material. So Mr. Manteit, you bear the onus, you give the council all the material, you want to rely upon a trial, and then I'm going to ask the council to do the same in return. and then we are going to trial.

And do we have the trial calendar here? Have you got your diary there Ms Hedge?

Index

24. General directions of His Honour Judge Williamson KC on 12-2-25 for Council material to be filed.

Alleged Contempt of Court

1. It is a criminal contempt of Court by the Respondents to refuse to comply with the general directions of His Honour on 12-2-25, by -

- filing all material for the trial after the extended date of 22-4-25.
- Seeking continual extensions from His Honour.

2. It is a criminal contempt of Court by the Respondents to intentionally thwart Manteit's case by refusing to comply with the general directions of His Honour on 12-2-25 by -

- filing all material for the trial after the extended date of 22-4-25.
- Seeking continual extensions from His Honour.

Background to this section

1. Council did not comply with Judge Williamson KC general directions and best intentions.

Alleged contempt of court.

"Council will respond and then all of that material will be brought to, probably me, and we'll work through it. That's what we will do."

The Respondents did not respond. The Respondents never brought all of that material to His Honour. That is contempt of Court.

There was no way that His Honour could "work through it", due to the Contempt of Court by the Respondents to file all Council material for the trial after 22-2-25.

This section is concrete proof of Contumacious conduct by all the Respondents, to intentionally file material for the trial, in contempt of Court.

Index

12-2-25

Judge Williamson KC

I don't tell you what evidence to lead. As it is, I'm treading very close to the line of giving you too much assistance. What I'm trying to explain to you is this. You have conditions you want the court to impose. This is the last time I'm going to say it. The conditions you want the court to impose.

You have an onus of proof. If you want those conditions imposed, you need to prove. Prove that those conditions should be imposed. That's the task that you have taken upon yourself by pursuing this appeal.

Yes, of course. So, to prove it, you're going to give some evidence yourself and you want to call some technical evidence, either from an engineer to explain why your condition is the right condition to impose. That's all I'm asking you to do. It is your case.

What you want to tell me about the condition or whoever the judge is, I should say, about the condition you want imposed on the approval. That's what it's about.

If the council has imposed an unlawful condition on 412 other reconfigurations of the lot, approved. Let's assume that's right.

This is not a Royal Commission into what the council has done on 412 other cases. It's about your case. And if your case proposes a condition that's different to the 412 other cases, let's focus on your condition. That's why I'm not particularly excited about, you heard me say, conspiracy theories in a royal commission. That's not the task the court is charged with. So all I'm asking is you to do this. Everything you want the court to take into account in support of your case, provide it to the council.

The whole picture.

Council will respond. and then all of that material will be brought to, probably me, and we'll work through it. That's what we will do.

Judge Williamson KC - "Council will respond and then all of that material will be brought to, probably me, and we'll work though it. That's what we will do."

24-4-25, 5 minutes before the end of the pretrial hearing. Hedge - I have working copies of Mr Corrigan and Mr Ryan.

His Honour " I will take working copies, if you don't mind"

JUDGE WILLIAMSON

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

JUDGE WILLIAMSON

Yes, so I will take those.

Index

It appears that His Honour had not read any of Council's material until 5 hearing minutes before the trial. His Honour took the working copies, 5 hearing minutes before the trial.

12-2-25 Judge Williamson KC - "So 31st March for Mr Manteit and then three weeks later for the Council (21-4-25)"

Judge Williamson KC

like to mention. Okay, well, I've just got another trial waiting, Mr. Manteet, so I don't have too much more time, but... You have 10 seconds if you'd like. If I can just finish the directions for the trial, and then, yes. So, I have the Brisbane City Council order in front of me. So, leave paragraph number one, that is the appeals case managed by me. and can we delete, I said can I ask the council to look back to this and have a draft order that deletes paragraphs 2 through to 7 and replaces it with an exchange of material as we discussed.

So the 31st of March for Mr Manteit and then three weeks later for the council. and the appeal obviously listed for three days commencing the 28th of April. Right. And if that order can be prepared and then sent to my associate, I'll make the order in Chambers.

But the idea is that the material provided is everything that both sides want to rely upon at the hearing? Yes. Does that make sense? So if it's expert reports, it's whatever it might be, the full gamut.

12-2-25 Judge Williamson KC - "the idea is that the material provided is everything that both sides want to rely on upon at the hearing?.....whatever it might be, the full gamut"

His Honour - "*The idea is that the material provided is everything that both sides want to rely upon at the hearing.. whatever it might be, the full gamut*"

That never happened. Council did not comply with Judge Williamson KC's intentions. **This is contempt of Court.**

His Honour Judge Williamson KC " – "*whatever it might be, the full gamut*"

Index

12-2-25 - Judge Williamson KC -

"When all the material is exchanged, we'll come back for a mention and we'll make sure everything's in place and then at that mention I will make directions about provision of submissions."
Can we set that, is there is there any reason that could not be in the week of 14th of April?

Judge Williamson KC

No, no, what I would like to do is when all the material is exchanged, we'll come back for a mention and we'll make sure everything's in place and then at that mention I will make directions about provision of submissions. Can we set that, is there any reason that could not be in the week of the 14th of April?

So what about Monday the 14th of April? A review on that date.

Judge Williamson KC - "*When all the material is exchanged, we'll come back for a mention and we'll make sure everything's in place*"

"So what about Monday the 14th of April? A review on that date."

Background

12-2-25
Judge Williamson KC - "you give the Council all the material you want to rely upon a trial and then I'm going to ask the council to do the same in rturn, and then we are going to trial

Judge Williamson KC

I do mind. You've had plenty of opportunity. It's my turn. Sorry. This is what I'm going to do. I'm going to order the matters case managed by me. There are not going to be any joint meetings. What we're going to do is, we're going to do this old school.

There's going to be an exchange of material. So Mr. Manteit, you bear the onus, you give the council all the material, you want to rely upon a trial, and then I'm going to ask the council to do the same in return. and then we are going to trial.

And do we have the trial calendar here? Have you got your diary there Ms Hedge?

Judge Williamson KC stated on 12-2-25 - "*you give the Council all the material, you want to rely upon a trial, and then I'm going to ask the Council to do the same in return*".

Council never provided all the material to be relied on for the trial until the day of the trial.

Cr Schrinner, **Dr Freeman** and **Susan Hedge** have deliberately and intentionally, and collectively defied court orders, in order to thwart the prosecution of Manteit's case, in order to hide the conduct of their employees, and ultimately their own conduct.

Index

25. Hearing 14-4-25

Alleged Contempt of Court

1. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that Schrinner Council **did not remove the DA approved Upstream Drainage red lines, yet removed them on the day of the trial.**

This was an act of omission by all the Respondents, for 7 months.

The Upstream Drainage red lines were removed 5 minutes into the trial on 28-4-25 by Susan Hedge tabling a table of conditions to His Honour.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers.

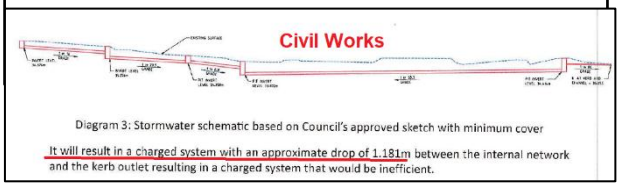


Diagram 3: Stormwater schematic based on Council's approved sketch with minimum cover

It will result in a charged system with an approximate drop of 1.181m between the internal network and the kerb outlet resulting in a charged system that would be inefficient.

Susan Hedge did not state at the hearing, that Council's Upstream Drainage pipes flood, or there has been any change in Council's position from 31-1-25.

2. It is a criminal contempt of Court by the Respondents, by an act of omission for 7 months, that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

This was an act of omission by all the Respondents, for 7 months.

The Upstream Drainage red lines were removed 5 minutes into the trial on 28-4-25 by Susan Hedge by tabling a table of conditions to His Honour.

3. It is a criminal contempt of Court by the Respondents that the **condition 18** was not changed in relation to the reference "generally as shown on the plan" was tabled and removed 5 minutes into the trial on 28-4-25 by Susan Hedge.

18) Up Stream Stormwater Drainage Connection - Minor

Provide a stormwater drainage connection for Lot(s) 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge, generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a usable building pad for proposed Lot 2 and to

This was an act of omission by all the Respondents, for 7 months.

4. It is a criminal contempt of Court , by the Respondents to deceive the Court by all the Respondents that the **condition 17** was not changed in relation to the reference "generally as shown on the plan", but was tabled and removed 5 minutes into the trial on 28-4-25 by Susan Hedge.

17) On Site Drainage - Minor

Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The

This was an act of omission by all the Respondents, for 7 months.

Index

5. It is contempt of Court by all the Respondents that the timing of submission of engineering drawings in condition 18 was not changed to before construction of the pipes from after constuction, but was tabled and changed 5 minutes into the trial, on 28-4-25 by Susan Hedge, and stated By Susan Hedge, at the trial, as being a significant issue in the case.

This was an act of omission by all the Respondents, for 7 months.

Hedge lied to His Honour on 14-4-25 by pretending she did not know the timing of engineering submissions.

Hedge lied again on 24-4-25, 5 minutes before the trial, by stating on that in court that Council's position for the trial was that there was no other approval was required and and as constructed.

On 28-4-25 , 5 minutes into the trial, Hedge changed to submissions required before construction of the pipes.

"It's a mistake" "This is a significant issue in the case"

Then Susan Hedge forced the witnesses to change their witness statements. Another contempt.

The Susan Hedge lies just keep rolling on.

Background of this section

1. The Appellant emailed proposed orders to Council via email to Sara McCabe on 12/4/25, for the hearing on 14-4-25. (filed 14-1-26). No response by McCabe.

The responses shall include what engineering calculations were performed by the Respondent that resulted in the approved Upstream and Onsite Drainage systems amended plan in red.

In addition the following proof is required:

The stormwater pipes would not be charged at any point.
The flow is less than 30 l/s at the kerb.
The engineering complies with all Council laws and QUDM
The engineering complies with the Rational Method.
The names of the person/s who engineered the stormwater systems
There were no unlicenced engineers who performed engineering
There would be no downstream flooding, causing damage to people and property. (QUDM).
Assessment of engineering was carried out with due diligence and not gross negligence.

14/4/25
"The following proof is required: (by Council)"

2. Manteit proposed orders were rejected by Susan Hedge, for no reason by Hedge. The proposed orders have now been filed 14-1-26, doc 76.

We all know that Hedge and McCabe knew that the Upstream Drainage pipes flood by 1.2m

Index

under the kerb and Hedge was just lying through her teeth at the hearing.

Hedge just wanted to hide the Upstream Drainage flooding on 14-4-25, until she dishonestly informed Judge WIlliamson KC, of the flooding, around 5 minutes before the pretrial hearing ended, on 24-4-25, meaning 5 hearing minutes before the trial, in order to box in Manteit.

3. The Appellant (Manteit) requested orders from His Honour that the Respondents were to file material for the trial by 21/4/25. This was not agreed by Hedge. Manteit argued against 22nd, and His Honour accepted Hedge, not Manteit.

4. The Appellant requested orders by Manteit from Council and Court that included, in essence, in the material they rely on, to include -

- **Include what engineering calculations were performed for the Upstream and Onsite Drainage systems in red.**

- **Proof required by the Respondents** -

  - That their pipes are not charged(flooded).
  - Pipe flow is less that 30 L/s at the kerb
  - Complies with Council laws
  - There would be no downstream flooding, causing damage to people and property
  - Names of the persons who engineered the stormwater pipes.

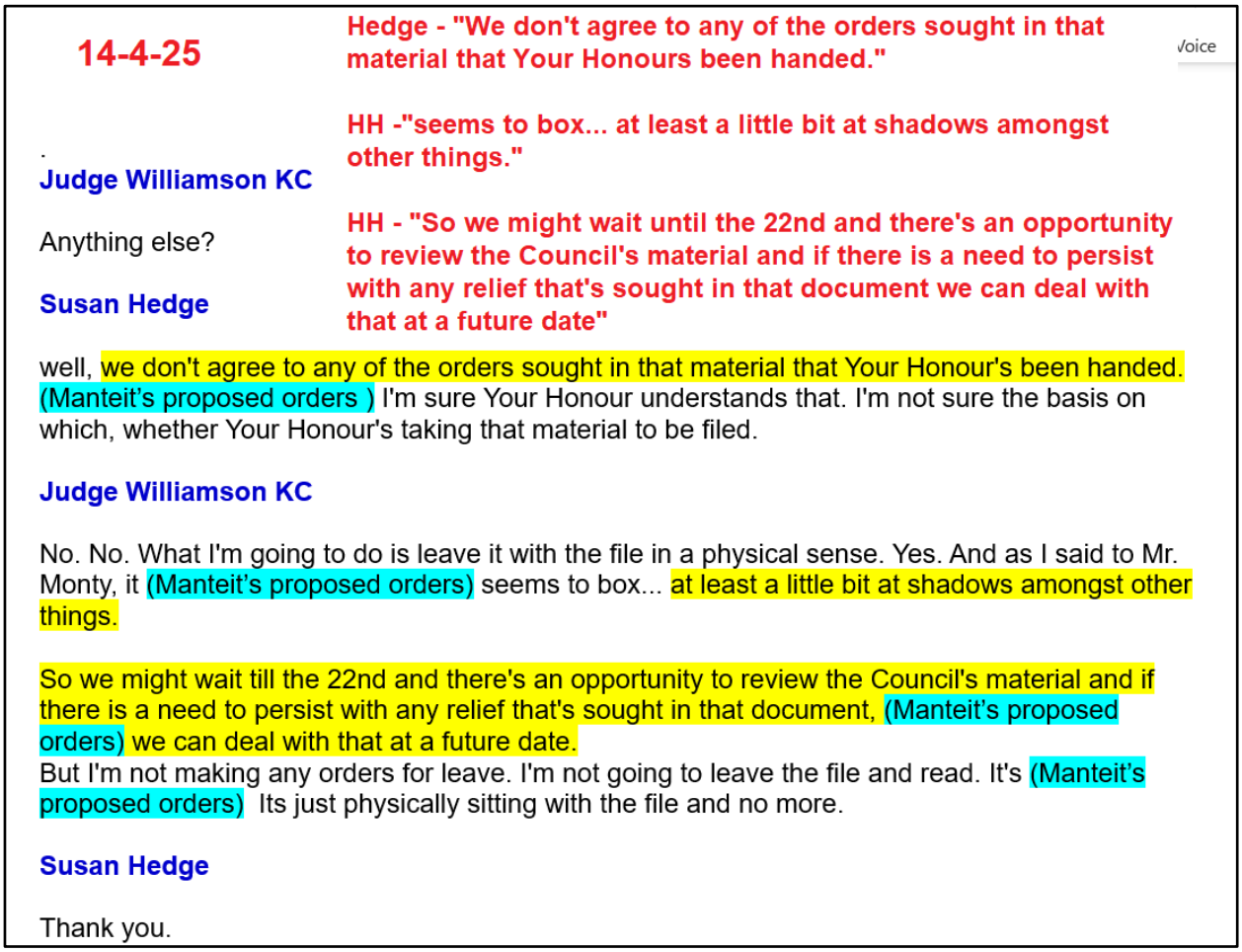
The responses shall include what engineering calculations were performed by the Respondent that resulted in the approved Upstream and Onsite Drainage systems amended plan in red.

In addition the following proof is required:

The stormwater pipes would not be charged at any point.
The flow is less than 30 l/s at the kerb.
The engineering complies with all Council laws and QUDM
The engineering complies with the Rational Method.
The names of the person/s who engineered the stormwater systems
There were no unlicenced engineers who performed engineering
There would be no downstream flooding, causing damage to people and property. (QUDM).
Assessment of engineering was carried out with due diligence and not gross negligence.

14/4/25
"The following proof is required: (by Council)"

Index



14-4-25

Hedge - "We don't agree to any of the orders sought in that material that Your Honours been handed."

HH -"seems to box... at least a little bit at shadows amongst other things."

HH - "So we might wait until the 22nd and there's an opportunity to review the Council's material and if there is a need to persist with any relief that's sought in that document we can deal with that at a future date"

Judge Williamson KC

Anything else?

Susan Hedge

well, we don't agree to any of the orders sought in that material that Your Honour's been handed. (Manteit's proposed orders) I'm sure Your Honour understands that. I'm not sure the basis on which, whether Your Honour's taking that material to be filed.

Judge Williamson KC

No. No. What I'm going to do is leave it with the file in a physical sense. Yes. And as I said to Mr. Monty, it (Manteit's proposed orders) seems to box... at least a little bit at shadows amongst other things.

So we might wait till the 22nd and there's an opportunity to review the Council's material and if there is a need to persist with any relief that's sought in that document, (Manteit's proposed orders) we can deal with that at a future date.
But I'm not making any orders for leave. I'm not going to leave the file and read. It's (Manteit's proposed orders) Its just physically sitting with the file and no more.

Susan Hedge

Thank you.

5. Manteit argued strenouslsy for around 20 minutes to His Honour, that Manteit must know have Council supply the engineering detail, or his case would be compromised.

Thes are some of the relevant extracts of Manteit phrases and words, of that hearing -

"We've asked them 1000 times for the engineering. We haven''t got it"

"This is the last time that we might get an order that the Respondent can comply with"

"So it's the last chance, basically"

"I'm asking them to give the response to include the engineering……
Its going to take 2 days … to find out exactly what the red line is……."

"If they want to be an engineer, where's the information for that?"

"We'll be talking about the red plan for 2 days…"

"We don't know what the engineering is…"

Index

"Its going to compromise my case…."

"We don't want to cause damage to people."

"Onsite Drainage…. Or engineer said it's a $734,000 fine to do that….If our engineer wants to comply with 7.6.2 or BSD 8111 and 8114 to put the kerb adaptor on the lower side of the kerb, I can't build a house."

"The Queensland Urban Drainage Manual says, in the opening paragraph, says we don't want to cause damage to people. It is correct."

Section7.6.1 of the chapter PSP, you better watch out for flooding and safety.

"So we've got an issue of safety, flooding, how on earth have these engineers (Council) come up with that? They've refused to respond."

"No evidence they've looked at the survey plan.

"I've given 11 flood warnings"

"The water's got nowhere to go."

"So I'm asking that to be…that we have that on Friday (Council material), because we cant do it by the 21st, four days time."

"The fact is they've hidden this information.

There's been no assessment.

Its flooded. It's sort of a bit reckless."

"That's not my fault. Nobody's forced them to do this engineering"

Index

14-4-25 Manteit -
"Where's the engineering for that?"
"Its going to compromise my case"
"We don't know what the engineering is"

So you see, that's where this, if they (Council) want to be an engineer, Well, where's the information for that?

I don't want to be stuck there.

It's going to compromise my case.

I can guarantee you it's going to be two days. And I'm just predicting, (Nostradamus), that we'll be talking about that red plan for two days because I've got the proof back in the conference.

Let's say prior to the conference, they were never aware of a survey plan and they're never aware of Chapter 7 PSP. So we are going to be stuck with that. And also you want to consider that in your modification or retaining these red lines, then I'm sure you'll see, in the absence of any other enginering,

We don't know what the engineering is.

6. Manteit requested an order for 7 subpoenas for Council employees, so that the corrupt unlicenced council employees could explain their flooded calculations to the ourt. for, and why their stormwater pipes flooded 1.2m under Ashridge Rd kerb, and other information.

His Honour stated that he would not act on Manteit's request, regarding subpoenas, but would consider it after the 22nd, once the material was filed. Filing never happened.

His Honour never looked at any Council material, until after the pretrial hearing.

7. His Honour's undertakings to Manteit of Council material being filed on 22-4-25.

Judge Williamson KC 14-4-25

Well, you're going to find out on the 22nd of April, which you'd like to know earlier.

Judge Williamson KC 14-4-25

Right. So can at least, sorry, I'll hear from you. You can say whatever you wish in a moment, say for any submission about scandalous material.

But in terms of a draft order, if you don't already have one, can I have one that extends the date for the delivery of council's material to the 22nd?

Index

Judge Williamson KC

I'm just starting high level. I'm starting at a high level. Don't be concerned that I'm trying to condense things into a nutshell.

There will be time for detail.

You won't be cut out of that. 14-4-25

Judge Williamson KC **14-4-25**

Just let my associate know and we'll list if there's a problem. ?

If there's still gaps that Mr Monty wants to be heard about, (At the pretrial hearing) we'll get the argument underway.(At the pretrial hearing).

Susan Hedge

well, we don't agree to any of the orders sought in that material that Your Honour's been handed. (Manteit's proposed orders) I'm sure Your Honour understands that. I'm not sure the basis on which, whether Your Honour's taking that material to be filed.

Judge Williamson KC **14-4-25**

No. No. What I'm going to do is leave it with the file in a physical sense. Yes. And as I said to Mr. Monty, it (Manteit's proposed orders) seems to box... at least a little bit at shadows amongst other things.

So we might wait till the 22nd and there's an opportunity to review the Council's material and if there is a need to persist with any relief that's sought in that document, (Manteit's proposed orders) we can deal with that at a future date.

But I'm not making any orders for leave. I'm not going to leave the file and read. It's (Manteit's proposed orders) Its just physically sitting with the file and no more.

Subpoenas – "we might get to that before the trial starts"

Judge Williamson KC **14-4-25**

I'm going to ask the Council to be responsible for that in this sense –

If it's the case that there's a flurry of activity and there's still some issues around the subpoenaed witnesses, gaps in material, and we might need to try and get to the bottom of that before the trial starts, then let me know.

Index

Crime and Corruption Commission.

8. Manteit requested His Honour acknowledge the correspondence from the Crime and Corruption Commission on 24/3/25. This was acknowledge by His Honour and His Honour stated that it would be dealt with. (See extract below).

Judge Williamson KC

Ms Hedge, I have to say this. I... I'm conscious that there's things in the material about Crime and Conduct Commission and there's allegations about particular council officers.

In due course all this can be made about, all? of that.

I don't need you to put anything on the record about it.

Susan Hedge

Alright.

Judge Williamson KC

I don't think anything's gained by doing that.

Susan Hedge

I understand.

Judge Williamson KC

But you have my assurance that in due course that will be a topic which *we* (His Honour Judge Williamson) traverse and *we* (His Honour Judge Williamson) might have to in some detail from what I can see.
Second thing is, so the date for delivery of Council's material is Easter Monday??

Susan Hedge

Yes.

14-4-25
Crime and Corruption Commission

His Honour Judge Williamson KC -

"But you have my assurance that in due course that will be a topic that we traverse and we might have to do in some detail"

Index

David Manteit **14-4-25** **Crime and Corruption Commission HH - we can concentrate on that on the 28th, 29th, 30th**

I think I'm just about finished, Your Honour. Thank you.

One thing for the long run here, Your Honour, is the Crime and Corruption Commission, not them necessarily, but the matter of drawing red lines.

It would be nice in the findings to say, well, for the future... You know, do as many red lines as you like.

Alternatively, if you want to do red lines, you should have this, this and this.
So, you know, just sort of give us something, because otherwise there's going to be 5,000 barristers here. You know, mate, the red lines are back. It's all good to go.
That should be another source of revenue for us, red lines.

I see it as a watershed case from that point of view. And why should I be worried about that? I'm only worried about what I'm doing now.

Judge Williamson KC

We can concentrate on that (The Crime and Corruption Commission), when we get to the 28th, 29th, 30th, or whatever the three days are. Right. Thank you, Mr Monty.

9. Manteit referred His Honour to Council's to the Reasons for disputed conditions, 31/1/25.

Manteit asked His Honour – "where is the one way?. This is in reference to the fact that Council has basically stated on 31-1-25 that their Upstream Drainage is dry, and not flooded.

14-4-25 Hearing
Manteit "Council on the 31st of January have said, there's one way, but there's other way, too.

Well, where is the one way. Can we have it by Friday?

David Manteit

tAnd the technical. So when I see people five times a day in the big world, not the big world, in the and I can see someone in five minutes if they know what they're doing. If they tell me they've got one brand of roof and one brochure, they'll say there's the best. But they say, well, if you've got 35 brands of roof, which one do you want? You're right, I believe. Yeah, he knows what he's doing. So thanks for being independent.

Our engineer's been independent. I've given one crack at it. He's given two cracks at it. He's not going to be there for 10 years doing this. There *is* no way.

So the Council on the 31st of January have said, there's one way, but there's other ways too.

Well, where is the one way? Can we have it by Friday?

So that's it for me, Your Honour. Thanks for listening. That's my submissions. Thank you.

Susan Hedge did not state at the hearing, that Council's Upstream Drainage pipes do flood, or there has been any change in Council's position from 31-1-25.

Index

10. Manteit stated that he had given 11 flood warnings to Council, (in this case) of Council Upstream and Onsite Drainage pipes being flooded.

14-4-25
Manteit - "*the Crime and Corruption Commission said 4 years ago, that a few people that are unlicenced engineering, they instructed all the LGAs to do the audit, still plastered on their website*"

"Given all that to Council, Nothing.

"We've (Manteit) warned you. We've (Manteit) given you 11 flood warnings"

David Manteit

I didn't hear anybody inventing engineering, hydraulic engineering.

So this is a one-off. I've investigated a year and a half.

Well, the Crime and Corruption Commission said four years ago, that a few people that are unlicensed engineering, they instructed all the LGAs to do the audit, still plastered on their website.

Given all that to council, Nothing.

We've warned you. We've given you 11 flood warnings.

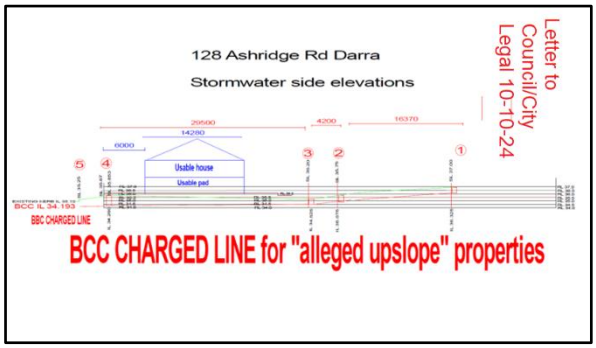
Susan Hedge did not state at the hearing, that Council's Upstream Drainage pipes do flood, or there has been any change in Council's position from 31-1-25.

11. Manteit stated in the hearing ad nauseum, to His Honour that Council had not provided any engineering to Manteit on their flooded plans, since October 124, and he required an order from His Honour for Council to provide the engineering in the Respondents material for the case to be filed by Council.

UPCR rule 211 applies.

These are Council engineered source documents, not Manteit

Manteit has made allegations about the Upstream Drainage and Onsite Drainage since 1/0/24 10/10/24 and 14/10/24 upon which he stated flood warnings to Council. Manteit stated that the reason why Manteit commenced the case was that the Lord Mayor, McCabe, Council employees and City Legal did not respond.



12. His Honour was very particular about the timing of submission of engineering drawings.
I am not sure why, because the condition is quite clear – **there is no approval required before construction of the pipe.**

Perhaps His Honour was testing the low IQ Hedge out on the topic, who played dumb and lied. A bigger lie would be coming on 24-4-25.

Index

Judge Williamson KC

That's what I'm looking at. If you assume for the moment the subdivision is approved to implement it, do you need to apply for Operational Works and Operational Works approval?

David Manteit

No. Now, everything in this game is as constructed, Your Honour.

There is no further assessment process until it goes to BCMT and the plan ceiling unit.

I've raced down Queen street with the plan (final survey plan in past developments) to council a dozen times. You would have seen me jog.

You get the plan ceiling. That's the ultimate at the end.

Prior to that is BMCT. That's the only further assessment. And correct, there is no bulk earthworks. That would have been an assessment. There is no assessment at that stage. Correct,yes.

Judge Williamson KC

That's a good question. The reason I'm asking is this, that on your case, you say there's no future opportunity in effect to provide a design that works out all the technical engineering concerns because the approval requires a solution which you say is unclear and no matter which way you cut it, you can't comply with it.

David Manteit

$734,000 fine,if we're one millimetre out.

Timing of sumitting engineering plans. 24-4-25

Judge Williamson KC

Sorry, you refer to BCMT. BCMT. What is that?

David Manteit

They are the people that can, you're supposed to be able to call them any time to look at these matters at any time, but the officially, at the end, you've got to give every last survey level, so even for

Index

Even to cross the, we've done it 60 times,(past developments by Manteit) you need to pitch the RHS to the kerb.

The surveyor's got to get that, got to be more than 1%. And the engineer will sign off everything himself. He's responsible. We need pictures and all the rest, every single thing, the drainage gravel, everything's got to be done. He signs off to give to BMCT.

They have a look at it. Yeah, mate, goes off to plant sealing. They're the bottleneck at the end. That's the only bottleneck. There's nothing else in between.

The conditions say prior to notation on the servey plan. So plan ceiling, bang, BMCT, yeah, got it, good, sign. They're very quick.

They're the fastest build I've ever met is the plan ceiling unit. So that's the process. That's the conditions. prior to notation of the sealing of the plan, the as-constructed drawings. It's an as-constructed drawings game.

I don't know why there's no other approvals. Now, if you happen to put your engineering up front in the assessment, council will approve those concept plans

.

They never asked us for that.

14-4-25

So they didn't give us a chance.

Up until this day, they steadfastly maintain that we can't build a house because of the red line. They've had their chance for 200 days to change it to a standard condition

.

Why stick your neck out (Council) and keep to this plan, Section 84 of the Building Act? It's my concept that any condition must be wiped out if it's found to be unlawful. Bang, it doesn't comply. Section 765, that's it, gone. That one's gone.(Council's condition) So why stick your neck out (Council) to have unlawful conditions with a plan?

What's the reason?

So they're (Coucil) are steadfast in their designs.
So it's intentional that they've done the designs.(Council)

It's intentional (Council) that they won't allow another engineer to design.

It's a flood. It's an intentional flood. There's no other way around that.

And if it's intentional causing, they've had their chance at set moments to pull this out and let us engineer.

They don't want another engineer.

Index

Judge Williamson KC **14-4-25**

And the last thing I was going to ask was about the operational works. And if it's the case that you can't answer the question, that's... I understand, but is it the position that this will be the last... ..the approval that's the subject of this approval will be the last opportunity that the council gets to look at or the point of discharge and the design of that?

Susan Hedge

I'm just not sure. I can't...I can't confirm or deny that..(Hedge lying)

Judge Williamson KC **Dumbo Susan Hedge insults His Honour -**

Well……

Susan Hedge **"I'm just not sure. I can't confirm or deny that"**

but I'll take some instructions and be able to address it on the next time and be able to address it on the next time we meet.

Judge Williamson KC

It strikes me as a question that won't just be important on the next occasion, but it's going to be important for the merits across the board, because if there is debate about the design... of connecting to the lawful point of discharge and how that all unfolds.

I'm going to ask repeatedly why does that have to be resolved in detail at the subdivision (after construction of the pipes) stage?

Why wouldn't the detail form simply be nutted out as part of operational works but there's a subdivision condition that requires, in an application for Op Works, a demonstration of a lawful point of discharge and compliance with the Queensland Urban Design Manual.

Susan Hedge **The second big Susan Hedge on timing of submission of eng drawings is coming on 24-4-25**

Yes

Judge Williamson KC

So, then it's up to Mr. Manteit to demonstrate in an operational works application the design solution that he contends. (It's okay, take a seat, take a seat). is sufficient to demonstrate compliance with the condition.

Index

14-4-25 hearing

David Manteit

So we've asked a thousand times for the engineering.

We haven't got it.

Now, I have asked (for orders today) because this is the last time that we might get an order that the respondent can comply with.

So it's the last chance, basically.

Now, they are to respond with their material by the 21st, which is Monday, because by the 21st is Monday

So four days, and I'm asking them to give the response to include the engineering, because we've had experience from the conference, and I mentioned last year that it would take 5,000 hours for any engineer to examine the original order, and I'm very worried that, Your Honour, on the day of the 28th, that it's going to be two days before the owner says exactly what, to find out exactly what that red line is.

Now on page 10 here, we've got an example of, which I've predicted and put in folder material, it's of the on-site drainage and the funny thing is, at the moment as it stands,

Our engineer said, lawful point of discharge, it's a $734,000 fine to do that. If our engineer wants to comply with 7.6.2, 8111 and 8114 to put the curb adapter on the lower side of the curb, I can't build a house.

So you see, that's where this, if they want to be an engineer, Well, where's the information for that?

I don't want to be stuck there.

It's going to compromise my case.

I can guarantee you it's going to be two days. And I'm just predicting, Nostradamus, that we'll be talking about that red plan for two days because I've got the proof back in the conference.

Let's say prior to the conference, they're never aware of a survey plan and they're never aware of Chapter 7 PSP. So we are going to be stuck with that. And also you want to consider that in your modification or retaining these red lines, then I'm sure you'll seek, in the absence of any other enginering,

We don't know what the engineering is.

We've given in the independent engineer's report, I've given one, blasted it through the information and in affidavits it'll be charged, the upstream pipe all over the curb.

The engineer says, let's have a crack, put it in the air, Roman aquaduct.

We tried, let's put it in the ground, charged. You have a charge in the middle of the lot. If you ever borrow some petrol from a mate, it's charged. Your toilet's charged, Your Honour. So water can be charged.

Index

14-4-25 Hearing

It'll still go somewhere if it bursts the pipe. So then we move on to why we need that engineering. and also the section 42s and 44s I seek to be signed and the reason is we're alleging the unsatisfactory conduct of the engineering and the unlicensed and also gross negligence.

Just moving on to number four there. The engineer, I always put things in bold if I think it's important, he said this (Council) plan is based on assumed needs rather than assessment.

There's been no assessment (by Council) in the opinion of the best hydraulic engineer in Brisbane and his senior engineer.

It exceeds 30 litres per second. It's 14 million litres at the kerb.

It violates, it doesn't not just comply with it, it violates the no worsening principle.

And here's the verdict. Forcing an upstream connection would lead to downstream nuisance flooding.

So there's the word flood.

I know the calculations backwards. And he said this should have never been conditioned in the first place, plus a whole lot of other things.

But I think it's when you combine forcing, I'm being forced. to provide an upstream connection. Have you ever seen the word force?

Have you ever seen the word flooding, nuisance flooding?

The Queensland Urban Drainage Manual says, in the opening paragraph, says we don't want to cause damage to people. It is correct. Can you cause damage to people on a note? People and property.

Section 7.6.1. of the chapter PSP, you better watch out for flooding and safety.

So we've got an issue of safety, flooding, how on earth have these engineers come up with that? They've refused to respond.

Now, what we have on the 31st of January is a couple of things, the old AO1, AOP01, well, they're shot to bits, and increased rainfall, increased density. Great. That's your reasons.

That's the latest reason six weeks ago. Will that cause a flood? No calculations. That's what they said.

That's the only things they've said for nine months.

So I don't want to be stuck compromising, sitting in another room. I can run the case, no worries. I can lead my case for 20 days straight, but I will get to the point as fast as I can. We want to be expeditious.

The fastest way to be expeditious is to get these seven witnesses to explain their unlicensed engineering and licence .

Index

14-4-25 Hearing

Back in November, you held a piece of paper and it had Andrew Blake in it. You asked me, do I want to have that person at the conference? I said, no, we don't need him. He's done his job four years ago.

Now, this barrister knew that Andrew Blake had signed the final authorisation for the big three lot plan.

Three lot plan, 14 million litres a day. And then on the 25th of September, three unlicensed engineers, Wake, Ting, well Tigk's licence, and the delegate said, we'll bring it back to two lots instead of three lots.

The three lots, is 1 billion litres a day flood, and TST Hydraulics, whoever they are, insisted on three lots. So two hours before 3.37 on the final day, we've got three unlicensed engineers deciding the engineering of this case.

And there's absolutely no evidence that they've looked at the survey plan. I've done those affidavits. You're going to have to track back to, I've given everything.

I've given 11 flood warnings. I've cut out section 765 on the 10th of July.

I've cut out three sections of PSP and the caves. Wood not drained through development, falling down. I said arrows falling to the rear and the right, falling down.

The water's got nowhere to go. Lawful point of discharge. I don't want to have to fill the lot. I was looking at fill. I said 60 metres back, it's a valley, but you want to convert it to 60 metres back from So requiring the neighbour, you want to change it from a valley to a ski slope. I said the water falls to the right. They did look at that in the assessment.

And in the assessment, they say that their standard assessment is to call the applicant if they intend to put amended plan in red, apply to the approval going out. Well, that didn't happen, Your Honour.

So there's a bit of negligence, deciding engineering of 9 million versus 14 million litres a day. All that, we've got nothing except for, the only thing we've got is increased rainfall and increased density. Is that a flood? We didn't check six weeks ago. That's the latest advice.

So I'm asking that to be... This case, to be expeditious, that we have that on Friday because we can't do it by the 21st, four days' time,

I've got orders requested that they provide that enough to assist the court with making the decision.

Now, the fact that they've hidden this information, plus, in my opinion, and in the opinion of engineer, there's been no assessment, it's flooded, it's sort of a bit reckless, when it's not complying with the major intentions of the Queensland Urban Drainage Manual and the PSP.

Everything in the PSP, Your Honour, by the way, is a number. And it relates to falling down. Everything's there.

Index

14-4-25 Hearing

You have your coefficients, your rainfall. It says refer to the QDM UM, but that's actually all replicated. Going back, everything you want. And I've put the evidence in there. Even if you use low density, it's still busted. So, you know, which way do you use?

The BSD 8111 for this 4139 Henderson versus River City Council, there's three ways you'll get out of doing red lines, Your Honour. One, if the engineering works, Good. You're off the hook. But that were consent orders, okay? That's another reason why you get off. Last year, 17 Lily Street and under, the council said, would you mind if I put a red line in the approval? Would you mind? So that's consent. That's another way to get off. And the other way to get off is put your engineering in there. BSD 811 covers a thousand sins.

Because it's all in there. It's all in there, BSD 8111 for low density.

So we're going to be there day one, trying to work out for two days.

I said 500 hours last year. Maybe that's reduced to 10 days.

Your Honour, in different lives of being a salesperson, I've walked into 10,000 homes building shade structures, finding the lawful point of discharge, writing up the plan, ready for the certifier and the site variation team at the Council, ten minutes.

And that's what you do. So I know, I just want to say again, Your Honour, that it's amazing how you run the show and you've got that clarity of mind.

And by we haven't got it to date, well, that's not my fault. Nobody's forced them to do this engineering. I didn't hear of anybody today or anyobody else, Your Honour, at your court

David Manteit

I didn't hear anybody inventing engineering, hydraulic engineering.

So this is a one-off. I've investigated a year and a half.

Well, the Crime and Corruption Commission said four years ago, that a few people that are unlicensed engineering, they instructed all the LGAs to do the audit, still plastered on their website.

Given all that to council, Nothing.

We've warned you. We've given you 11 flood warnings.

Mr Andrade, the best engineer in Brisbane, says this should never have been brought to, never been conditioned.

Index

In the Planning and Environment Court
Held at Brisbane

Appeal 2916 of 2024

Between : **DAVID MANTEIT** Applicant

And: **BRISBANE CITY COUNCIL** Respondent

ORDER

Before: **His Honour Judge Williamson KC**
Date of hearing: **14 April 2025**
Date of order: **14 April 2025**

IT IS ORDERED THAT:

1. The Court shall sign the seven Form 42 forms Subpoena to give Evidence and the seven Form 44 Request for Subpoena forms for each of the following persons to be required to be a witness in the Trial on 28/4/25, for questioning by David Manteit and His Honour only.

Andrew Blake Roger Greenway Lucy Ting
Scott Ruhland Joel Wake Zamdra Piper
Margaret Orr

2. The Appellant shall be allocated a total of 2.5 hours for questioning the witnesses in 1, commencing 10am 28 April 2025.

3. The Respondent, is to include the following information in the material they rely on, to be filed and served by 21/4/25 –

Responses to the Appellants' list of matters to be reponded to as stated in S150 of the Appellant's Submissions for Trial.

The responses shall include what engineering calculations were performed by the Respondent that resulted in the approved Upstream and Onsite Drainage systems amended plan in red.

In addition the following proof is required:

"The following proof is required: (by Council)"

The stormwater pipes would not be charged at any point.
The flow is less than 30 l/s at the kerb.
The engineering complies with all Council laws and QUDM
The engineering complies with the Rational Method.
The names of the person/s who engineered the stormwater systems
There were no unlicenced engineers who performed engineering
There would be no downstream flooding, causing damage to people and property. (QUDM).
Assessment of engineering was carried out with due diligence and not gross negligence.

4. The list of witnesses and their phone number that each party proposes to attend trial to be advised to the Court and the other party by 5pm 14/4/25.

5. His Honour and the Respondent shall acknowledge to the Appellant the existence of the correspondence to the Appellant from the Crime and Corruption Commission dated 24/3/25.

6. His Honour to make findings in his final judgement of any Unsatisfactory Professional Conduct Unlicenced engineering, Gross negligence in respect of assessment, or any suspected offence of S289 of the Criminal Code.

ORDER

Filed by the Appellant : David Manteit
82 Rowe Tce Darra 4076.
Ph PH 0424 739 923
davidmanteit@hotmail.com

Index

PLANNING AND ENVIRONMENT COURT

Tabled 14-4-25

REGISTRY Brisbane

NUMBER 2916/24

Appellant : David Manteit

Respondent : Brisbane City Council

REQUEST FOR SUBPOENA

To: The Registrar of the Planning Court at 415 Brisbane

Please issue the following subpoena on behalf on David Manteit.

Subpoena to give evidence.

Directed to Andrew Blake

c/- Brisbane City Council 266 George St Brisbane. andrew.blake@brisbane.qld.gov.au

returnable before the Planning Court at :

Place: Planning Court, 415 George St Brisbane
Date: 28 April 2025
Time: 10am

Signed:

14-4-25 Subpoena requested to Judge Williamson KC, but denied.

Dated:

REQUEST FOR SUBPOENA
Filed by the Appellant
Form 44, Version 2 approved 10/9/2024
Uniform Procedure Rules 1999
Rules 414

Name: David Manteit
82 Rowe Tce Darra 4076
PH 0424739923
davidmanteit@hotmail.com

Index

14-4-25 Subpoenas to 7 Council employees, for further information on Council pipes, refused by Judge Williamson KC.

PLANNING AND ENVIRONMENT COURT

14-4-24. Six subpoenas to Council employees, including Andrew Blake, requested by Manteit, refused by His Honour Judge Williamason KC at the hearing hearing. Refused. Subpoenas held by His Honour.

REGISTRY Brisbane
NUMBER 2916/24

Appellant David Manteit
Respondent Brisbane City Council

SUBPOENA TO GIVE EVIDENCE

To: Andrew Blake c/- Brisbane City Council, 266 George St Brisbane 4000.

THE COURT ORDERS that you attend for the purpose of giving evidence –

(a) before the Planning and Environment Court

(b) at 415 George St Brisbane

(c) on 28 April 25 at 10 am until you are excused from further attending.

The last date for service of the subpoena is

TAKE NOTICE:

(1) Failure to comply with this subpoena without lawful excuse is contempt of court and may result in your arrest. You have the right to apply to the court to have the subpoena set aside on any sifficient grounds including privelege, including but not limited to, sexual assault counselling privelege.
(2) the party on whose behalf this subpoena was issued may give you written notice of a date or time later than the date or time stated above to attend to give evidence, in which this subpoena has has effect as if if the date or time stated in the the notice were stated in the subpoena.

SUBPOENA TO GIVE EVIDENCE
Filed by the Appellant
Form 42, Version 4 approved 22/5/24
Uniform Procedure Rules 1999
Rules 415,415A, 416, 419, 421

Name: David Manteit
82 Rowe Tce Darra 4076
PH 0424739923
davidmanteit@hotmail.com

(3) if the party on whose behalf this subpoena was issued gives you written notice that you are to give evidence to the court in accordance with this subpoena by audio visual or audio link, you may attend by that link for the purpose of giving your evidence to the court.
(4) you need not comply with this subpoena unless conduct money is paid, or tendered to, a reasonable time before the day on which you would be required to attend the court.
(5) if the party on whose behalf a subpoena was issued gives you a written notice that you are able to give evidence to the court in attendance with this subpoena by audio visual or audio link, you are only entitled to conduct money if the notice requires you to attend a place other than your place of residence or business to give evidence by audio visual or audio link.

ISSUED WITH THE AUTHORITY OF THE PLANNING AND ENVIRONMENT COURT OF QUEENSLAND.

Signed:

Dated:

Council employees including to Andrew Blake. Presented to His Honour Judge Williamson KC. Refused by him and held in his tray.

The subpoenas required Blake to provide evidence on the Upstream Drainage

Example above of one of 6 subpoenas to Andrew Blake that was refused by His Honour on 14-4-25.

Index

Hearing 14-4-25 – full transcript

Judge Williamson KC

Manteit in Brisbane City Council.

Susan Hedge

May it please the report, my name is Hedge, H-E-D-G-E, initials S-J. I appear for the Respondent Brisbane City Council, instructed by City Legal. Thank you.

David Manteit

Your Honour, if I could just seek leave to to pass this over there to yourself and ultimately respond there. We've got some proposed orders there, Your Honour.

And I probably need about 15, sort of 20 minutes, given the period, that I just need to go through some of these.

Now, there's one document that's not filed, and that is a letter from the Crime and Corruption Commission.

?And some of this, Your Honour , you may want a day to sort of even consider this. I'm not necessarily asking for consideration today, because this is a matter of public interest, the whole... file.

So they've received my complaint about unlicensed engineering and that may eventually include some cases of licensed engineering that could be a crime as well.

But basically they (CCC) consider this court to be the appropriate court in the first instance. They don't want to duplicate the inquiry and they're quite happy for the For our case to be renewed, there are two things. One is this court finds adverse comments in the allegation in this court, or if it doesn't, it still goes back to the Crime and Corruption Commission.

So it goes back either way. Of course, I've got to be part of that. Now, I haven't filed this because it's a matter of secrecy.

I believe that it should be brought to the attention today of the court, and I've sought orders for this to be acknowledged. I just would like to get their consent before I do file this, but I've got to bring it to the attention.

Now, you'll have your own opinions, Your Honour, of course, but it's my submission that they (CCC) say this is the appropriate court to consider the allegations first.

So that's that one, if you can just sort of keep that in the back of your mind.

So the next I'd like to talk about is the two main problems at the moment,

Your Honour, is number one, we have got no engineering for this red line plans and it's a one in a million case. but uh i I'd like to draw your attention to item three on their Henderson versus

Index

Brisbane city council 4139 of 18 English court in that court we've got a similar design there an upstream design with uh it's got the engineering and that's that's fantastic and i believe your Honor uh this is before the when the queen was still alive and then you you're you're mentioned in those in the proceeding. It's a good one.

They've stated engineering. We've got something to go on here.

We've got no engineering on there. (Council's DA approval)

Last year this document from 2018, a court document, it was consent orders, was used And Roger Greenway has put his name there eight times in the approval.

So there's been three assessments approved last year and this was the source document. (4139/18)

So, Your Honour, as you've explained, it's your job to be starter fresh, starter new, but you've got to be going back to the court to the source document to compare, to make your decisions whether to upheld, take away or modify.

So that engineering of the source document, this is the gold standard (4139/18) from what I can see. It's been through the court.

It's been used as a source document six years later, three times last year. That's in my audit. So that's all been filed.

David Manteit

So we've asked a thousand times for the engineering.
We haven't got it.

Now, I have asked (for orders today) because this is the last time that we might get an order that the respondent can comply with. So it's the last chance, basically.

Now, they are to respond with their material by the 21st, which is Monday, because by the 21st is Monday

So four days, and I'm asking them to give the response to include the engineering, because we've had experience from the conference, and I mentioned last year that it would take 5,000 hours for any engineer to examine the original order, and I'm very worried that, Your Honour, on the day of the 28th, that it's going to be two days before the owner says exactly what, to find out exactly what that red line is.

Now on page 10 here, we've got an example of, which I've predicted and put in the order material, it's of the on-site drainage and the funny thing is, at the moment as it stands,

Our engineer said, lawful point of discharge, it's a $734,000 fine to do that. If our engineer wants to comply with 7.6.2, 8111 and 8114 to put the curb adapter on the lower side of the curb, I can't build a house.

Index

So you see, that's where this, if they (Council) want to be an engineer, Well, where's the information for that?

I don't want to be stuck there.

It's going to compromise my case.

I can guarantee you it's going to be two days. And I'm just predicting, (Nostradamus), that we'll be talking about that red plan for two days because I've got the proof back in the conference.

Let's say prior to the conference, they were never aware of a survey plan and they're never aware of Chapter 7 PSP. So we are going to be stuck with that. And also you want to consider that in your modification or retaining these red lines, then I'm sure you'll see, in the absence of any other enginering,

We don't know what the engineering is.

We've given in the independent engineer's report, *I've* given one, blasted it through the information and in affidavits it'll be charged, the upstream pipe all over the kerb.

The engineer says, let's have a crack, put it in the air, Roman aqueduct. (example)

We tried, let's put it in the ground, charged.(Manteit engineer) You have a charge in the middle of the lot. (Manteit engineer) If you ever borrow some petrol from a mate, it's charged. Your toilet's charged,(Example) Your Honour. So water can be charged.

It'll still got to go somewhere if it bursts the pipe.(Nuisance flooding). So then we move on to why we need that (Council) engineering. and also the section 42s and 44s (Subpoenas to Council employees)

I seek to be signed and the reason is we're alleging the unsatisfactory conduct of the engineering and the unlicensed and also gross negligence.

Just moving on to number four there. The engineer,(Manteit) I always put things in bold if I think it's important, he said this (Council) plan is based on assumed needs rather than assessment. There's been no assessment (by Council) in the opinion of the best hydraulic engineer in Brisbane and his senior engineer.

(Council's red lines).It exceeds 30 litres per second. It's 14 million litres at the kerb.

(Council's red lines) It violates, it doesn't not just comply with it, it violates the no worsening principle.

And here's the verdict. (Civil Works) Forcing an upstream connection would lead to downstream nuisance flooding.

So there's the word flood.(Civil Works).

I know the calculations backwards. And he (Civil Works) said this should have never been conditioned in the first place, plus a whole lot of other things.

Index

But I think it's when you combine forcing, I'm being forced. to provide an upstream connection. Have you ever seen the word force? (Civil Works)

Have you ever seen the word flooding, nuisance flooding? (Civil Works)

The Queensland Urban Drainage Manual says, in the opening paragraph, says we don't want to cause damage to people. It is correct. Can you cause damage to people on a note? People and property.

Section 7.6.1. of the chapter PSP, you better watch out for flooding and safety.
So we've got an issue of safety, flooding……how on earth have these engineers (Council) come up with that? They've refused to respond.(Council)

Now, what we have on the 31st of January(Council) is a couple of things, the old AO1, AOP01, (Council) well, they're shot to bits, and increased rainfall, increased density. Great. That's your reasons. (Council).

That's the latest reason six weeks ago. Will that cause a flood? No calculations. (Council)?That's what they said.

That's the only things they've said for nine months. (Council)

So I don't want to be stuck compromising, sitting in another room.(working out red line calculations) I can run the case, no worries. I can lead my case for 20 days straight, but I will get to the point as fast as I can. We want to be expeditious, Your Honour
.
The fastest way to be expeditious is to get these seven witnesses to explain their unlicensed engineering and licence .

Back in November, you (His Honour) held a piece of paper (Given to His Honour by Manteit) and it had Andrew Blake in it. You asked me, do I want to have that person at the conference? I said, no, we don't need him. He's done his job four years ago.

Now, this barrister (Hedge) knew that Andrew Blake had signed the final authorisation for the big three lot plan. (Council RTI report)

Three lot plan, 14 million litres a day. And then on the 25th of September, three unlicensed engineers, Wake, Ting, well Ting's licence, and the delegate said, we'll bring it back to two lots instead of three lots.

The three lots, is 1 billion litres a day flood, and TST Hydraulics, whoever they are, insisted on three lots. So two hours before 3.37 on the final day, we've got three unlicensed engineers deciding the engineering of this case. (Council RTI report)

And there's absolutely no evidence that they've looked at the survey plan. I've done those affidavits. You're going to have to track back to, I've given everything.

I've given 11 flood warnings. I've cut out section 765 on the 10th of July.(DA application).
I've cut out three sections of PSP and the caves. Would not drained through development, falling down.

Index

I said arrows falling to the rear and the right, falling down. DA application).

The water's got nowhere to go. Lawful point of discharge. I don't want to have to fill the lot. I was looking at fill. I said - 60 metres back, it's a valley, but you want to convert it to 60 metres back from So requiring the neighbour, you want to change it from a valley to a ski slope. I said the water falls to the right. They did look at that in the assessment. DA application).

And in the assessment, they say (Council) that their standard assessment is to call the applicant if they intend to put amended plan in red, apply to the approval going out. Well, that didn't happen, Your Honour.

So there's a bit of negligence, deciding engineering of 9 million versus 14 million litres a day. (3 lots instead of 2 lots) All that, we've got nothing except for, the only thing we've got is increased rainfall and increased density.(Council 31/1/25) Is that a flood? We (Council) didn't check six weeks ago. That's the latest advice.

So I'm asking that to be... This case, to be expeditious, that we have that (engineering detail as requested in Manteit proposed order) on Friday because we can't do it by the 21st, four days' time,

I've got orders requested (handed to His Honour) that they provide that enough to assist the court with making the decision.

Now, the fact that they've hidden this information, plus, in my opinion, and in the opinion of engineer, there's been no assessment, it's flooded, it's sort of a bit reckless, when it's not complying with the major intentions of the Queensland Urban Drainage Manual and the PSP. Everything in the PSP, Your Honour, by the way, is a number. And it relates to falling down. Everything's there.

You have your coefficients, your rainfall. It says refer to the QDM UM, but that's actually all replicated. Going back, everything you want. And I've put the evidence in there. Even if you use low density, it's still busted. So, you know, which way do you use?

The BSD 8111 for this 4139 Henderson versus Brsibane City Council, there's three ways you'll get out of doing red lines, Your Honour. One, if the engineering works, Good. You're off the hook. But they were consent orders, okay? That's another reason why you get off. Last year, 17 Lily Street and under, the council said, would you mind if I put a red line in the approval? Would you mind? So that's consent. That's another way to get off. And the other way to get off is put your engineering in there. BSD 8111 covers a thousand sins.

Because it's all in there. It's all in there, BSD 8111, for low density.

So we're going to be there day one, trying to work out for two days…….
I said 500 hours last year. (12-12-24) Maybe that's reduced to 10 days.

Your Honour, in different lives of being a salesperson, I've walked into 10,000 homes building shade structures, finding the lawful point of discharge, writing up the plan, ready for the certifier and the site variation team at the Council, ten minutes.

And that's what you do. So I know, I just want to say again, Your Honour, that it's amazing how you run the show and you've got that clarity of mind. I want to make life easier……we haven't got it to date…….(Council engineering)

And by we haven't got it to date, (Council's engineering). well, that's not my fault. Nobody's forced them to do this engineering.(DA approved Upstream Drainage)

I didn't hear of anybody today or anybody else, Your Honour, at your court……..

David Manteit

I didn't hear anybody inventing engineering, hydraulic engineering.

So this is a one-off. I've investigated a year and a half.

Well, the Crime and Corruption Commission said four years ago, that a few people that are unlicensed engineering, they instructed all the LGAs to do the audit, still plastered on their website.

Given all that to council, (CCC) Nothing.

We've warned you. (Council) We've given you 11 flood warnings.(Letters to Council 1/10/24 to 11/12/24)

Mr Andrade, the best engineer in Brisbane, says this should never have been brought to, never been conditioned.

I've only met him for 20 minutes this time around. You can see from the 412 cases, (Filed by Manteit)Your Honour, that's his resume.

You can see the clarity of his mind. He has gone over the top of consultants. BRW, we did that with him four years, five years ago.

You can see that. So he's got the best resume on record as filed. So I just want to know that when you get to this on 20 April, what's the heights of this? (Council's Upstream Drainage)

Did you mean to put this in the air? Or did you mean to put it under the ground? So getting back to the sales, I never made a sale for somebody. People believe you if you're independent, and you, Your Honour, have been very, very independent,

Judge Williamson KC

and I appreciate that. I do try.

David Manteit

And the technical. So when I see people five times a day in the big world, not the big world, in the and I can see someone in five minutes if they know what they're doing. If they tell me they've got one brand of roof and one brochure, they'll say there's the best. But they say, well, if you've got 35 brands of roof, which one do you want? You're right, I believe. Yeah, he knows what he's doing. So thanks for being independent.(To His Honour)

Index

Our engineer's been independent. I've given one crack at it. He's given two cracks at it. He's not going to be there for 10 years doing this.(Checking Council's Council's red lines) There *is* no way. So the Council on the 31st of January (have said, there's one way, but there's other ways too. Well, where is the one way? Can we have it by Friday?

So that's it for me, Your Honour. Thanks for listening. That's my submissions. Thank you.

Judge Williamson KC

This is an appeal about one condition. One condition. Otherwise, but for that one condition that's being posed on your development approval, everything else is okay. You have no difficulty with it. It's just this condition which is about awful point of discharge and the red line.

David Manteit

Well, there is the two systems, 412 cases, (Onsite Drainage) everybody needs a phone, look upon a discharge, they've decided to engineer that, which, $700,000 fine,
I've got professional certification group, who say, you are stuck with that mate, you can't build a house, we've got to follow the council.

That's just as big, but it's a more obvious thing. 99% of the times, standard condition,(Onsite Drainage) engineer designs. 57 upstream cases last year, pluck a figure out of there. 90% were engineer designs, 10%. Can we just... Sorry.

Susan Hedge
Could I assist you on this? There's five conditions that have been identified as conditions in dispute. They're all about the same issue, but I just wanted to assist.

Judge Williamson KC

The one issue, the one issue is about the lawful point of discharge...

David Manteit

That could be in a nutshell for both systems invented by them and engineered by them.

Judge Williamson KC

So orthodox town planning for a subdivision approval and orthodox engineering associated with the implementation of that approval will look for a lawful point of discharge seek to condition it and require that the drainage resulting from the subdivision complies with, amongst other things, the Queensland Urban Drainage Manual, other technical manuals. But it's sort of unusual for there to be conditions about Lawful Point of Discharge. That would be your experience?

David Manteit

Well, it's good to get down things to a nutshell, but as you mentioned, Your Honour, I've got to be prepared for everything.

This three lot plan was on the table two hours before they decided the decision. Now it's a two lot that's come out as approved.

That's a very big thing, lawful point of discharge. I've said day one there's no place for it to go. Our engineers found another two ways to hang yourself. One is 30 litres per second at the kerb. It's, for argument's sake, on the Q20, he's (Civil Works) gone conservative, roughly 80 litres per second, right? That's the if. We've got, the old town plan says you rarely use the kerb and channel, you should find somewhere else.

That's the normal. But if you've got to do it, 30 liters per second. It's been there since 2008. Okay, that's gone. So there's one thing that's just, that's it. Bang, finished.

Judge Williamson KC

I'm just starting high level. I'm starting at a high level. Don't be concerned that I'm trying to condense things into a nutshell.

There will be time for detail.

You won't be cut out of that.

But what I'm trying to do is this… I'm desperately trying to understand what the fight is about. And if it is about lawful point of discharge, if that's what it's about, and how it's designed, and what it has to be designed to comply with, be it technical standard or the planning scheme, whatever it might be.

I'm trying to characterise the dispute. Does that make sense?

David Manteit

Ah. Thanks for trying, Your Honour, but we don't know what it is.(The location of Counci's red lines) That's the problem
.
We don't know if their pipe is in the ground. (at the neighbour's end) .We don't know if it's (Council red lines) a Roman aqueduct.

We don't know. We have to guess. And Your Honour says, Brogan, so, mate, three guesses is good enough for me. Case dismissed. But no, we didn't look at those other 97. So we don't know. That's the problem. We've taken our best guess. We've got DRW, I'll do my plans, DRW.
It's exactly matched for the millimetre to the surface levels of the surveyor. So, and all that. But we don't know if they've got some other, it's going to be put through the river.

Judge Williamson KC

Just forget about criticising. Please resist the temptation from here on in to criticise what the council may have said or have not said. I'm acutely aware that you want to attack that. I get it.

I'm just focusing on your case for the moment. Let's put the criticisms to one side where you are going to ask me to finish up.

Judge Williamson KC

That's what I'm looking at. If you assume for the moment the subdivision is approved to implement it, do you need to apply for Operational Works and Operational Works approval?

David Manteit

No. Now, everything in this game is as constructed, Your Honour.

There is no further assessment process until it goes to BCMT and the plan ceiling unit.

I've raced down Queen street with the plan (final survey plan in past developments) to council a dozen times. You would have seen me jog.

You get the plan ceiling. That's the ultimate at the end.

Prior to that is BMCT. That's the only further assessment. And correct, there is no bulk earthworks. That would have been an assessment. There is no assessment at that stage. Correct,yes.

Judge Williamson KC

That's a good question. The reason I'm asking is this, that on your case, you say there's no future opportunity in effect to provide a design that works out all the technical engineering concerns because the approval requires a solution which you say is unclear and no matter which way you cut it, you can't comply with it.

David Manteit

$734,000 fine,if we're one millimetre out.

Judge Williamson KC

Sorry, you refer to BCMT. BCMT. What is that?

David Manteit

They are the people that can, you're supposed to be able to call them any time to look at these matters at any time, but the officially, at the end, you've got to give every last survey level, so even for

Even to cross the, we've done it 60 times,(past developments by Manteit) you need to pitch the RHS to the kerb.

The surveyor's got to get that, got to be more than 1%. And the engineer will sign off everything himself. He's responsible. We need pictures and all the rest, every single thing, the drainage gravel, everything's got to be done. He signs off to give to BMCT.

They have a look at it. Yeah, mate, goes off to plant sealing. They're the bottleneck at the end. That's the only bottleneck. There's nothing else in between.

The conditions say prior to notation on the survey plan. So plan ceiling, bang, BMCT, yeah, got it, good, sign. They're very quick.

They're the fastest build I've ever met is the plan ceiling unit. So that's the process. That's the conditions. prior to notation of the sealing of the plan, the as-constructed drawings. It's an as-constructed drawings game.

I don't know why there's no other approvals. Now, if you happen to put your engineering up front in the assessment, council will approve those concept plans
.
They never asked us for that.

So they didn't give us a chance.

Up until this day, they steadfastly maintain that we can't build a house because of the red line. They've had their chance for 200 days to change it to a standard condition
.
Why stick your neck out (Council) and keep to this plan, Section 84 of the Building Act? It's my concept that any condition must be wiped out if it's found to be unlawful. Bang, it doesn't comply. Section 765, that's it, gone. That one's gone.(Council's condition) So why stick your neck out (Council) to have unlawful conditions with a plan?

What's the reason?

So they're (Coucil) are steadfast in their designs.

So it's intentional that they've done the designs.(Council)

It's intentional (Councll) that they won't allow another engineer to design.

It's a flood. It's an intentional flood. There's no other way around that.

And if it's intentional causing, they've had their chance at set moments to pull this out and let us engineer.

They don't want another engineer.

Judge Williamson KC

Sorry, I'm just grabbing a few documents just to...

Index

Now, the orders that you're after today... relate to subpoenas that you have filed in relation to council officers to give evidence.

David Manteit

I'm trying to jump the gun and you say, well if it is accepted, how long are you going to need? Well I'm trying to limit that to two and a half hours.

Judge Williamson KC

But that's up in your head sir. You've got to capture the first hurdle and that is the evidence that you seek to lay down of the opposites. has to be relevant. Yes. If I haven't said this, I'd be surprised, but I'm going to say it now.

The proceeding that is in this court is not an inquiry into the decision-making of councils officers, about why or why they didn't impose the condition.

This is a looking forward exercise, not a looking back exercise. That's why it's called a hearing anew So, in effect, you have to work on the basis that I am standing in the shoes of the assessment manager.

It is me that you need to persuade about these conditions and why they should not be imposed. And why 1, 2, 3, 4, 5, 6, 7 council officers, be they engineers or planners or otherwise, chose to do it is not a matter that's going to assist me.

Because there will be an engineering solution to this. You might well have criticisms about how things have been looked at by the council, whether it's competent or otherwise, but you understand that's not a matter for me.

David Manteit

Well, I don't understand that, but may I just respond there, Your Honour? They don't have an approval to start with, and from the accounting point of view, you're You're going back to compare to the conditions and in the conditions refer to the amended plan.

So, May, correct me if I'm wrong, but you've (His Honour) got to look at the plan to see if that complies or any modification of the plan. which you may very well need a hydraulic engineer to modify that plan.

Judge Williamson KC

But you bear the onus. This is what I've tried to explain. You have secured an approval from the council, it's conditional, and it includes five conditions with which you're unhappy. You have to demonstrate... Section 45

David Manteit

With the one exception is that you're (Council) an engineer. One in a million chance (One in 412 caes) you're an engineer. (unlicenced Council engineers)

Index

We need that engineering.

And we don't have it.

We're going to be there for two hours out of three days of patrol.

They'll know how to soak up time.

We won't have... the ability for the new assessment manager (His Honour) to look at the source document because there's not enough information of the source document to compare.
How can you change the source document if you don't know what the source document is to start with?

Judge Williamson KC

Well at this stage, do I assume, has Council filed all of its material?

Susan Hedge

No, its not due until the 21st, which is Easter Monday, which I'm going to make a submission about. We'd see that it'd be changed to the 22nd, just the next day.

Judge Williamson KC

Sure. Okay. Well, are we jumping the gun then?

David Manteit

I have to start with the end in mind. That's what I do in life. I've had the experience of the conference. That's my experience. I was a nice man. Right. Charter boat (joke) Survey plan. Chapter 7 PSP.

Do we have that? I've got the proof. That's how they start. And that's the way it's going to stay for two days. And that's compromising my case.

Judge Williamson KC

Wel. no, no, no.

Judge Williamson KC

You see? No, no. I think we're jumping the gun. We're jumping the gun.

The council's going to deliver its material.

And I would be a little surprised. In fact, I would be shocked if there was no engineering evidence at all that provides calculations or responds in a technical way to your criticisms of the conditions.

David Manteit

From listening to this room today, that's what you'd expect, Your Honour.

Index

David Manteit

We've already had the 31st of January disputed, and the only thing there was increased rainfall and increased density.

That's it. So why would they give any more than that, is my question?

What obligation do they have? to give any more than that on Thursday or Monday or at the trial?

What's to stop them from just.. We're just not going to give you that information. What's to stop them?

The only thing that will stop them is an order today, in my humble opinion.

Judge Williamson KC

But, Mr Monty, I can't... You have to understand, I can't compel parties to call evidence or give evidence.

I can put in place a timetable for... the exchange of material and the like, which is what I've done.

But if the council choose not to give you something, for whatever reason, I can't compel them unless there's a proper basis for doing so.

Like, something has to be disclosed.

Or there's a council document of which you are aware that points to a contrary position which not only needs to be disclosed but is inconsistent with council's case.

But to require calculations, to require answers to specific questions from an expert, that's not how it's done, putting it bluntly. The council, just as you can run your case, the council can run its.

David Manteit

That's what I'm saying. I guess what you're saying is they have no obligation
.

Judge Williamson KC

Correct.

David Manteit

They can just keep their mouth shut for three days. Right.

Judge Williamson KC

But my experience is the council doesn't keep its mouth shut for three days.

David Manteit

You will see... This is *my* experience of 31st of January. Sure, sure.

That's my experience. Sure.

And *my* experience of 1st of October, 28 questions. (1/10/24 – 28 questions from Manteit to Council employees)

And my experience of 14th of October, 33 questions. (14/10/24 – 33 questions from Manteit to Council employees)

That's my experience, you see.

Judge Williamson KC

But, you see, there's only one go at a court hearing.

David Manteit

And that's why I'm trying to jump the gun, Your Honour. I only get one go, exactly.

Judge Williamson KC

Yeah, but you're jumping the gun. You're jumping the gun. Please don't think I'm expressing views about whether your concerns are valid or otherwise.

I just think we're jumping at shadows just at the moment.

David Manteit

And the reason for jumping the gun, Your Honour, is... The Crime and Corruption Commission says this is the court to look at this in the first instance, number one.

And number two, you've got a responsibility for your engineering to uphold as per the per unsatisfactory definition, which says you've got to maintain the standard which the public expects. The public expects BSD 8111 in this court. (Henderson V Brisbane City Council 4139/18).

Three times upheld last year, Roger Greenway eight times. That's what is expected.(Engineering of Council's red line in 4139/18)

And we haven't got that expected as yet.

Judge Williamson KC

Well, we might get there.
You never know. Oh, we might. 21st. We're going to wait

Well, sorry, that's Easter Monday or something. But whatever the next, the 22nd is, you can look at the material and if there's a shortcoming, there can be a shortcoming.

Index

But you bear the onus. I'm just going to remind you of that. You bear the onus. You've taken on the burden of proving that the conditions imposed should be deleted.

David Manteit

May I keep saying that with one exception? where you've got a responsibility to show us your engineering.

And that's every time someone (Council) draws a red line.

I've spoken to hydraulic consultants with red lines. All they do is grab what the engineer says and puts on there. I said, mate, you aren't happy that they've drawn a red line? He said, what can you do? So no one questioned the red lines. When you say 225 mil pipe, Your Honour, that's a 375 mil pipe. The engineer says, oh, if you modified your structure, I mean, we're... Sorry, what we're going to… You know what I mean?

So what I'm saying, they're (Council) responsible for engineering.

I'm entitled to see what the engineering is, number one.

Judge Williamson KC

We're going to get stuff day one.

And you're going to get that with the provision of the exchange of expert material. You will get that.

And if it's lacking, it's incompetent, or whatever criticism you want to make, what you do is you cross-examine the person who made the statement who will be sitting in that chair, and I will sit here and listen to the questions that you ask them.

That's the adversarial process. That's how it works.

We don't jump the gun.

We're not compelling anyone to call any evidence or fill any gaps. You're going to run your case. You're going to explain to me why these five conditions should be deleted. then the council will have its opportunity to put on and lead its experts and evidence. You'll be able to cross-examine them about that.

You can test it. That's how the hearing unfolds.

David Manteit

Well, Your Honour, I've asked for those experts to be listed. They keep asking me in past orders.(For experts). I've asked for that for 5 o'clock this afternoon.

There's only a chance of that, Your Honour. Sorry, what? I've asked for a list of the experts. We don't even know if they're going to have experts, Your Honour.

We don't know that. I know it's a good assumption, Your Honour, and that's the way things should be, but we don't even know if they're going to be calling experts to this trial. We've got no idea.

Index

Judge Williamson KC

Well, you're going to find out on the 22nd of April, which you'd like to know earlier.

David Manteit

Would you, you know, we've heard you mention expert witnesses. Would you be able to provide an audio that we have an expert witness to give evidence by Tuesday? Was that possible? That's pretty reasonable.

Judge Williamson KC

Sir, what do you mean by that?

David Manteit

Well, looking at step-by-step, Can we have an order for the respondents to have their expert witness by the Tuesday if I consent to their proposal on the time? Can we have an expert witness? which might be a more traditional wording for the court.

Judge Williamson KC

Sorry, where do you want the

David Manteit

expert witness to provide the response by Tuesday? Is that something that is reasonable, Your Honour? Sorry, when you say the response, as in the expert witness to respond to all the information that you see in this order?(Manteit's request for orders today)

David Manteit

Yes, that's right. Otherwise, for the expert witness.

Judge Williamson KC

Someone's got to list it out. No, the scope of works for the witness, for the council, if they're an engineer, would be to, one, explain whether they can support the conditions, and two, the technical basis for doing so
.

Manteit?

Speaker 1
Correct.

Judge Williamson KC

But that might include answering some of these questions. It might not. But, again, can we deal with it this way?

You get the council's material and then you can make an assessment of what you say extra is required rather than just fire off a list.

Because some of it, all of it might be answered.

Because one of the questions(Manteit's proposed orders) is proof that the engineering complies with council's laws and QUDM.

That might well be found in the body of the expert opinion expressed.

The engineering complies with the rational method.

Well, there might be an explanation about that. It might not be. There are no downstream.

David Manteit

I kept saying we're entitled to their promotion.

If you put your hand up to be an engineer, you've got to comply with the Professional Engineers Act.

Sure. So if you don't, it's basically hiding your engineering.

No one's forced them to do the engineering on it. Nobody

. So that's their position.

If you want to be an engineer, show us the engineering.

Judge Williamson KC

Bit there are rules going to the admissibility of expert opinion.

David Manteit

Yes, but we don't even know if we've got an expert as yet replying to this.

Judge Williamson KC

I'm going to try and remedy that through a list so we know.

David Manteit

Well, thanks, thanks.

Judge Williamson KC

Experts who express an opinion have to disclose the basis upon which or the bases that they rely upon to express that opinion. So if an engineer is going to express an engineering opinion, as a matter of usual practice.

Index

David Manteit
For the red lines, blah, blah, blah.?

Judge Williamson KC

The basis has to be exposed to be admissible.

David Manteit

That could save a thousand things.

Judge Williamson KC

But that's why I think we're boxing at shadows because an engineer, if an engineer comes along…

David Manteit

I'm looking at the 31st of January shadows, Your Honour. Increased rainfall and increased density. That's the only shadows that we've got.(And no Coucil engineering)

Judge Williamson KC

Okay, well…

David Manteit

Sorry to say it that way, but, you know...

Judge Williamson KC

No, no, look... Once we're in these four walls, I'm hoping it's only bright light. There are not going to be any shadows, Mr Monty.
If an engineer wants to express an opinion that's to be relied upon, they have to disclose the basis for it.
And, as I said before, they will sit in that chair and you can ask them questions about it to demonstrate either it's competent, incompetent, whatever your criticisms are going to be.

David Manteit

Sounds great. Can't wait. At the moment...

Judge Williamson KC

Neither can I.

David Manteit

But there's nothing about witnesses that they're (Council) proposing whatsoever. So we don't even if they're going to bring witnesses, Your Honour.

They (Council) keep on asking me every time there's an order, I'll get your witnesses. Where's yours? Silence.

Judge Williamson KC

Just ignore the shadows. That's your word. Let's ignore the shadows. You're in here.
If I ask Ms Hedge for the council to deliver a list, just the names of its witnesses, and if they're an expert, to identify their area of expertise.

And that was to happen in the next 48 hours. So it's just a list. On the basis of that list, you will know who has been called and their area of expertise.

On the 22nd or thereabouts rather than the 21st, because it's Easter Monday, you will then be provided with all of the material the Council wants to lead in its case. (Never happenned)

David Manteit

Sounds good.

Judge Williamson KC

Right. So you have a list of witnesses and all the Council's material.

We can then at that stage return to these other issues if there are subpoenas and the like.
But I have to say at this stage, I'm very concerned about the subpoenas of the subpoenaing council witnesses who, some of them might be being called anyway, I don't know.
But if they're not, this is not a forum, I'm just making you aware, this is not a forum for attacking council officers.

David Manteit

Thanks Your Honour. I appreciate what you're saying. It's twofold.
One is we haven't got the engineering. What you're proposing is going a long way towards that.

Judge Williamson KC

So I'm just going to put this on ice for the moment. That's what I'm going to do. I'm going to put this on ice because it strikes me this is, as I said, this might be boxing at shadows and let's see what the material actually says.(On Tuesday)

And then if there's a gap... and you want to explore that, we can do that, but we'll do it in a focused way.

David Manteit

But to explore that, Your Honour, are you thinking there could be one more day of review?

Judge Williamson KC

Correct. Say a Friday before the Monday or something?

Index

Judge Williamson KC

If we need it. If we need it. If not, we'll start it. That'll be the first thing we deal with on Tuesday morning (Meant Monday) when we start the hearing.

David Manteit

Yeah, well, I mean, I've seen, you know, the... Bookings come and go for this court, but we're hoping for the 28th to the 30th. That would be great to be maintained.

Judge Williamson KC

That's not going anywhere. I will be here for three days, and I'm going to get to the bottom of this. We're going to get to the bottom of this. at the end of those three days.

David Manteit

I think I'm just about finished, Your Honour. Thank you.

One thing for the long run here, Your Honour, is the Crime and Corruption Commission, not them necessarily, but the matter of drawing red lines.

It would be nice in the findings to say, well, for the future... You know, do as many red lines as you like.

Alternatively, if you want to do red lines, you should have this, this and this.
So, you know, just sort of give us something, because otherwise there's going to be 5,000 barristers here. You know, mate, the red lines are back. It's all good to go.
That should be another source of revenue for us, red lines.

I see it as a watershed case from that point of view. And why should I be worried about that? I'm only worried about what I'm doing now.

Judge Williamson KC

We can concentrate on that (The Crime and Corruption Commission), when we get to the 28th, 29th, 30th, or whatever the three days are. Right. Thank you, Mr Monty.

David Manteit

So you might sort of think about doing, say, your own orders by... tomorrow or something and send us an email. I'm just wondering what sort of process you're thinking. Will they come and collect the order tomorrow?

Judge Williamson KC

If you give me a moment to take it up with Ms Hedge, then I'll put the logistics in trying.

David Manteit

Well, we haven't listened. Correct.

Index

Judge Williamson KC

Ms Hedge, I have to say this. I... I'm conscious that there's things in the material about Crime and Conduct Commission and there's allegations about particular council officers.

In due course all this can be made about, all? of that.

I don't need you to put anything on the record about it.

Susan Hedge

Alright.

Judge Williamson KC

I don't think anything's gained by doing that.

Susan Hedge

I understand.

Judge Williamson KC

But you have my assurance that in due course that will be a topic which *we* (His Honour Judge Williamson) traverse and *we* (His Honour Judge Williamson) might have to in some detail from what I can see.

Second thing is, so the date for delivery of Council's material is Easter Monday??

Susan Hedge

Yes.

Judge Williamson KC

Okay. So you'd like to move that to the Tuesday?

Susan Hedge

Yes, please.

Judge Williamson KC

Okay. Consider that done.

Susan Hedge

Thank you.

Judge Williamson KC

Is there any difficulty with providing a list of Council's witnesses by close of business Wednesday?

Susan Hedge

No, we're content to do that.

Judge Williamson KC

Thank you. But that list, so there's no doubt about it, if it can identify if they're an expert and the field that they're addressing.

Susan Hedge

Happy to do that.

Judge Williamson KC

And the last thing I was going to ask was about the operational works. And if it's the case that you can't answer the question, that's... I understand, but is it the position that this will be the last... ..the approval that's the subject of this approval will be the last opportunity that the council gets to look at or the point of discharge and the design of that?

Susan Hedge

I'm just not sure. I can't...I can't confirm or deny that..(Hedge lying)

Judge Williamson KC

Well……

Susan Hedge

but I'll take some instructions and be able to address it on the next time and be able to address it on the next time we meet.

Judge Williamson KC

It strikes me as a question that won't just be important on the next occasion, but it's going to be important for the merits across the board, because if there is debate about the design... of connecting to the lawful point of discharge and how that all unfolds.

I'm going to ask repeatedly why does that have to be resolved in detail at the subdivision (after construction of the pipes) stage?

Why wouldn't the detail form simply be nutted out as part of operational works but there's a subdivision condition that requires, in an application for Op Works, a demonstration of a lawful point of discharge and compliance with the Queensland Urban Design Manual.

Susan Hedge
Yes

Index

Judge Williamson KC

So, then it's up to Mr. Manteit to demonstrate in an operational works application the design solution that he contends. (It's okay, take a seat, take a seat). is sufficient to demonstrate compliance with the condition.

Susan Hedge

Yes. But... Can I say this? On the plan that has the red line, the infamous red line, it states that the red line markups are indicative only. So they are not... they could not be the final word because of how they're notated.

Right. But the exact process of how the final engineered solution is to become part of an approval, that's the thing that I'm not able to...

But as I say, the red line, and that's the way that the Council is defending in its submissions of issues, is that it's entitled to put an indicative-only plan or indicative only notation.

It's not a final plan of engineered pipes or something of that nature.

Judge Williamson KC

But that's what I'm asking about.

If it is the final word, then I can understand completely why we're going to delve into the contours and the like.

But if it's not the final word... And there is a detailed specific works application to follow.

You will be listening to a repeated question from me, not just next week, but for three days. Why is this reconfigure not an operational works problem?

Susan Hedge

Yes, I understand. But I think Mr Manteit also objects to the obligation and the conditions to provide any upstream connection by any... system…..So there's an antecedent issue as well about whether there should be any upstream connection provided and then the secondary issue is well how would it be provided exactly?

Judge Williamson KC

But the first and the second question both go together for Mr Monty because he says the solution, there is no solution required for the first question.

And that's demonstrated by the fact that if he tries a number of solutions to answer the second question, and they're are all problems.

That's detail design for operational works, is what I'm saying. It has that tenor, it has that appearance.

If it's the case that there's a fight about whether or not a connection is required in the first place, that in itself can be dealt with in a condition as well.

Susan Hedge

Yes. Well, yes, it's in a different condition.

Judge Williamson KC

Yeah, but it can be expressed…
.
David Manteit

(Interrupting)
Mr Monty, I have sat very patiently this morning and listened to everything you have to say. I know, but if you could allow me, please.

So the prospect of the future, where I'm waiting to visit, does the detail have to be sorted out on this approval or is it a matter more appropriately dealt with in operational works?

Where the design and all the detail from then is cast to the applicant to demonstrate what the solution is. As distinct from council saying, this is an indicative solution with which the applicant says, there's all these problems associated with it, there's design problems.
Okay, take the line off, you demonstrate it.

Susan Hedge

I understand.

Judge Williamson KC

Right. So can at least, sorry, I'll hear from you. You can say whatever you wish in a moment, say for any submission about scandalous material.

But in terms of a draft order, if you don't already have one, can I have one that extends the date for the delivery of council's material to the 22nd?

Susan Hedge

Yes. Okay.

Judge Williamson KC

And a draft order that makes provision for the list of witnesses to be called by Close of Business the 16th of April?

Susan Hedge

Yes. And could I ask on that draft order whether that could be required of both parties? Because, for example, the civil engineering letter that Your Honour has been given today is signed by two people, not by one.

Index

Judge Williamson KC

Right.

Susan Hedge

And also it is not, in the material that's been filed, it is not annexed to an affidavit. Well, it is annexed to an affidavit of Mr Monteith, which... is not, course, how things are done. Now, the Council's not necessarily going to stand on such things, but we don't understand at the moment who the witness is, who would speak to this report, and whether... Yes,

Susan Hedge

Yes, I understand. Could I assist? So if obligation could be...

Judge Williamson KC

Well, you can assist by sending a... a countervailing or corresponding letter to the council that identifies the witnesses you are calling, including yourself, and then identifying their area of expertise. So that can be a cross-pollination of information. Makes perfect sense.

Susan Hedge

Yes, thank you

.

Judge Williamson KC

Anything else?

Susan Hedge

well, we don't agree to any of the orders sought in that material that Your Honour's been handed. (Manteit's proposed orders) I'm sure Your Honour understands that. I'm not sure the basis on which, whether Your Honour's taking that material to be filed.

Judge Williamson KC

No. No. What I'm going to do is leave it with the file in a physical sense. Yes. And as I said to Mr. Monty, it (Manteit's proposed orders) seems to box... at least a little bit at shadows amongst other things.

So we might wait till the 22nd and there's an opportunity to review the Council's material and if there is a need to persist with any relief that's sought in that document, (Manteit's proposed orders) we can deal with that at a future date.

But I'm not making any orders for leave. I'm not going to leave the file and read. It's (Manteit's proposed orders) Its just physically sitting with the file and no more.

Index

Susan Hedge

Thank you.

Judge Williamson KC

Is there anything else I need to do with that?

Susan Hedge

No. No, I'm content with what Your Honour said. The only other thing was Your Honour mentioned that there might be a review before the trial.

Judge Williamson KC

I'm going to ask the Council to be responsible for that in this sense –

If it's the case that there's a flurry of activity and there's still some issues around the subpoenaed witnesses, gaps in material, and we might need to try and get to the bottom of that before the trial starts, then let me know.

Susan Hedge

Yes. I expect there to still be significant dispute. The Council.

Judge Williamson KC

So do I.

Susan Hedge

The Council will not be providing statements from all of those people, and potentially not from any of them.

Judge Williamson KC

I had assumed that to be the case, and I had assumed there would be objections to the subpoenas in any event. But there's a list of information that's at about 0.6 of the page, which says the stormwater pipes would not be changed... I'm sorry. Charged. Charged.

Susan Hedge

But yes, Your Honour's right that some of those things might be dealt with, some not.

Judge Williamson KC

Yeah, so it struck me that the information (Manteit's proposed orders) falls into... A couple of categories.

One is subpoenaing council officers.

Two is technical information. And three is everything else. Yes. And two is probably the most important. The others...

Susan Hedge

Yes.

Judge Williamson KC

All right.

Susan Hedge

Well, we'll undertake to bring it on if needed in the week before. That's not an application tweak, just to indicate to Your Honour,

Judge Williamson KC

but we can…

Susan Hedge

I don't mind.

Judge Williamson KC

Just let my associate know and we'll list if there's a problem. ?

If there's still gaps that Mr Monty wants to be heard about, (At the pretrial hearing) we'll get the argument underway.(At the pretrial hearing).

Susan Hedge

Yes, thank you. The final thing is that we're in the process of preparing objections to Mr Monty's material. As I said, I don't want to be overly formal, and that's not our intention, to be overly pedantic about... the rules of evidence, but for example, Mr. Monteith has himself authored a town planning report, and from our perspective, he has no expertise in the area of town planning, can't give evidence or opinion evidence in any area of expertise. So I only mention that to say, if Your Honour considers that should be done by some particular time, I'm content for Your Honour to make an order about that. I'd say perhaps Friday. And I just thought it would be useful to at least tell your eye that that's occurring because that might also result in difficulties.

David Manteit

Sorry, I'm going to have to say it's a gross injustice. I've already filed evidence that I've done 20 subdivisions, 20 town planning applications, 10 with me, there's never been a problem with town planning. And you don't need a licence to be so you don't need that licence I've proven my area of expertise by my affidavit and I will be the town planner you will be? yes I'll be referring to every section 7 in the chapter 7 in which these people didn't refer to

I won't be hiding anything about chapter 7, (Stormwater Code).Your Honour, from start to finish, which refers to every single engineering methodology and numbers where water falls down.

Judge Williamson KC

Excellent.

David Manteit

I will assure you that I will be... to answer every single question in relation to the codes and so I suggest don't worry about that because I can spend two weeks on the town planning of chapter 7 and they've got no proof at all and in RTI (document).

It says they've never referred to any part of the chapter 7 whatsoever.

Judge Williamson KC

Okay, well all Ms Hedges foreshadowing is that The Council have objections to your material and I think it is a good idea, prudent indeed, to provide Mr Monty with those objections.

And I don't have a sense of how extensive the objections are, but the more extensive they are, the earlier they should be provided. Did you say Friday, I think?

Susan Hedge

Well, now I'm suggesting another public holiday, which is unhelpful, so
Thursday. Is this Friday a good Friday?

Judge Williamson KC

Yes. Well, Thursday?

Susan Hedge

Yes. Thursday the 17th. So we'll put that on the draft order that we send through to your Honour as well.

Judge Williamson KC

Please. Thank you. That would be helpful. So you'll have a list of the objections to your evidence, Mr Monty.

David Manteit

Right. Can we have a list of the witness report with the town planning sections that they really will nominate by Tuesday?
Speaker 1
No.
David Manteit

Can we have the town planning report by Tuesday?

Index

Susan Hedge

At

David Manteit

the moment we're talking about an engineer or a witness.

Susan Hedge

We haven't said which yet. He will have a town planning expert report by Tuesday. Because that's when our evidence is due.

Judge Williamson KC

There you go. You'll have it.

David Manteit

Will it (the town planning report) have anything besides AO1 and PO1, Your Honour, other than increased rainfall and increased density? (As in the Notice of Disputed Reasons 31-1-25) Would it have anything else in there, Your Honour?

Judge Williamson KC

I hope so. There's no need to answer that. We'll just wait. I'm really looking forward to the delivery of the reports because I won't have to speculate about their contents and nor should you, Mr Monteith.

David Manteit

I'm trying to expedite them.

Trust me, it's not. I'm trying to be expeditious. It's not. It's not helping me and believe me, it's not saving time now. We'll wait to see the material. Is there anything else?

Susan Hedge

No, thank you.

Judge Williamson KC

Alright. Well, if Ms. McCabe could look after the draft order and send that through to myself, through my associate and Mr. Monty.

26. Hearing 24-4-25 Susan Hedge states "it won't work" re Schrinner Council's flooded pipes, 5 minutes before the trial.

Contempt of Court

1. It is a criminal **Contempt of Court by Susan Hedge** as an act of omission, for 7 months, failed to inform to the Court at any stage since 19/11/24 until 24-4-25, 5 hearing minutes before the trial, that the Council employee authored, non-RPEQ certified Upstream Drainage pipes were in fact flooded 1.2m under Ashridge Rd Kerb, as per the Corrigan report and Civil works report.

At the hearing 24-4-25, only 5 hearing minutes before the trial, Susan Hedge stated to His Honour Judge Williamson KC -

"It won't work"
"then that won't work"

2. It is a criminal contempt of Court by Susan Hedge, by act of omission for 7 months, to knowingly withhold knowledge form the Appellant and the Court, that the unlicenced Council employee engineered and authored DA approved Upstream Drainage Pipes were flooded since Manteit wrote to 7 unlicenced Council employees on 1/10/24 (filed, see below), as Manteit stated in 13 letters of 108 pages prior to the Notice of Appeal, with Exel calculations and cross sections that the pipes flooded around 1.2m.

3. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner and Dr Freeman to have appointed such a low IQ barrister and wasting over $300,000 in ratepayers money and time on the case 2916/24.

4. It is a criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to withhold information to the Appellant and the Court that was relevant to Manteit's allegations, which were alleged since letter to Council employees 1/10/24 and 13 letters and 108 pages of letters to Council employees, City Legal, Sara McCabe, Lord Mayor as described in below table and filed, with no response ever.

There was plethora of the same flooded allegations and statements made by Manteit continuously in the 2916/24 proceeding verbally at trials and filed, commencing with the Notice of Appeal , right up to 24-4-25, being the pretrial hearing.

Table of letters sent by Manteit prior to the Notice of Appeal, requesting engineering information of -

- Council and Council employee engineered source documents.
- Manteit statements, calculations and warnings to Council of their flooded pipes, as of 1/10/24
- Manteit request for copy of, wording of and engineering of the Council prepared easement document as drawn in red on the plan and noted as 900mm wide, and required by Condition 7

Index

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr, Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake,Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

5. It is a criminal contempt of Court by Susan Hedge, by acts of omission, over 7 months, to appear before Judge Williamson KC on 12-12-24, 12-2-25 and 14-4-25 by failing to inform the Court that the RTI and DA approved Schrinner Council employee Upstream Drainage plans flooded 1.2m under Ashridge Rd

In addition Susan Hedge only informed His Honour of the Corrigan report, of which Susan Hedge accepts, evidencing the same flooding, 5 hearing minutes before the trial on 24-4-25.

The unlicenced Council employee DA approved Upstream Drainage pipes would have cause serious nuisance flooding of around 410,000 litres per hour at the kerb and possible death to Darra residents as described in PSP 7.6.1 (1).

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

Index

6. It is a Criminal contempt of Court by Susan Hedge, as an act of omission for 7 months, to incite the owner to break Council and other laws –

- Newtons laws of gravity
- PSP 7.6.1(1)
- BSD 8111 min gradient <.5%
- S7.6.3.1 (2), Pipe velocity at kerb >76L/s,

- Inciting of the owner's RPEQ to lose his licence by preparing an unsatisfactory stormwater plan and being charged for unsatisfactory professional conduct under Schedule 2 of the Professional Engineers Act 2002.

- Causing Manteit potential rectification costs of around $150,000 to remove the Council and Council employee flooded pipe under Ashridge.

- Limiting Manteit to the Upstream Drainage pipe to that approved location to as compelled by S164 of the Planning Act thereby preventing Manteit from placing the pipes and easement in another location.

- Deceitfully thwarting and prejudicing Manteit's ability to prosecute his case at trial.

7. It is aCriminal Contempt of Court by Susan Hedge, of an act of omission, for 7 months, to appear before Judge Williamson KC on 12-12-24,12-2-25, 14-4-25 and 24-4-25 by failing to inform the Court that the RTI and DA approved Schrinner Council employee Onsite Drainage plan red lines -

- Incited breaking of Council laws PSP7.6.2, BSB 8113 by being 5.1m up from the low side of the kerb
- Forced Manteit to raise of the house pad by .5m, costing an additional $172k to correct.

When they were removed 5 minutes into the hearing on 28-4-25.

It is not a defence to have a low IQ. Any person of normal IQ would have known within 30 seconds that the pipes flood 1.2m.

Manteit had advised 6 to Council employees on 10/10/24 with cross sections.

Index

SUSAN HEDGE **24-4-25** **Hedge "It won't work"**

Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

Hedge - "that won't work"

JUDGE WILLIAMSON

Okay. Well there we go.

Judge Williamson KC - "Well there we go "

SUSAN HEDGE

That's Civil Works Engineers. That's the letter. Yes.

Mr. Corrigan agrees that where that red line is, like if you take a literal interpretation of what is in fact an indicative drawing, then that will not work. "then that won't work"

He's identified two other ways that you can achieve the outcome of the condition, which is to provide upslope drainage.

Hedge - "He's identified two other ways that you can achieve the ....condition."

JUDGE WILLIAMSON

Yep.

22-4-25 Corrigan the goldfiish - the discharge level of the pipe accordingly would be lower than the kerb.

9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers. However, in my experience, a stormwater designing civil engineer would move to a design such as in my **Attachment D** which does achieve the necessary levels.

Dumbo Byth Chambers barrister either couldn't work that out for 7 months or has lied for 7 months. It can only be one or the other.

Which one is it ? Please advise the ratepayers and the CCC.

Your Lord Mayor paid your rates bills for this rubbish.

"I have to put my cards on the table" - indicating previous dishonesty of Susan Hedge Dr Freeman, Cr Schrinner, Council

Index

and Council licenced and unlicenced employees, from 25/9/24 to 24/4/25 (7 months).

Why did Hedge, Cr Schrinner and Dr Freeman have cards?

Index

27. Hearing 24-4-25. Hedge lie re Council position statement.

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge to state to His Honour Judge Williamson KC on 24-4-25, around 5 hearing minutes before the trial, and being 5 minutes before the end of that pretrial hearing, that Council's position was as of 31-1-25, when as little as one hour later, it was not Council's position.

2. It is a criminal contempt of Court for Susan Hedge to be silent as an act of omission in the face of Judge Williamson KC 13 times when His Honour Judge Williamson KC stated to Manteit that Council's position for the trial, 13 times, 5 hearing minutes before the trial, was as of 31/1/25.

Susan Hedge knew that a new Council position with further material was being filed the same day, in as little as one hour later, or even before Susan Hedge stated Council's position.

Background of this section

Below is the transcript of the statements by His Honour, 24-4-25, around 5 minutes before the end of the pretrial hearing and the trial.

JUDGE WILLIAMSON

Court 24-4-25

Well, sorry. I thought... They have given... Council have given position statements. That's their response. (1st) .But the submissions. Council, you'll be ….that's Wednesday of the trial after the evidence is closed. Just like you will have an opportunity to...

DAVID MANTEIT

Well, correct me if I'm wrong, but the 600 pages of the chief executive, I couldn't see any positions in there about red lines or anything like that. I couldn't see. I don't know of any of their positions, but I'll have a look at that if that material is accepted.

JUDGE WILLIAMSON

Sorry, I thought a position... Council had filed a position statement.(2nd)

SUSAN HEDGE

Yes, I'll find out. do you have the court document? (to Sara McCabe). It was filed on the 31st of January.

Index

JUDGE WILLIAMSON

Yep (3rd)

Court
24-4-25

SUSAN HEDGE

It's about a two-page document.

JUDGE WILLIAMSON

Yep (4th)

SUSAN HEDGE

Court document number 23.

JUDGE WILLIAMSON

Ok (5th)

DAVID MANTEIT

Oh, sorry, that is the notice of dispute.

JUDGE WILLIAMSON

Yep (6th)

That's….

24-4-25

DAVID MANTEIT

That's the position.?

JUDGE WILLIAMSON

Yep (7th).

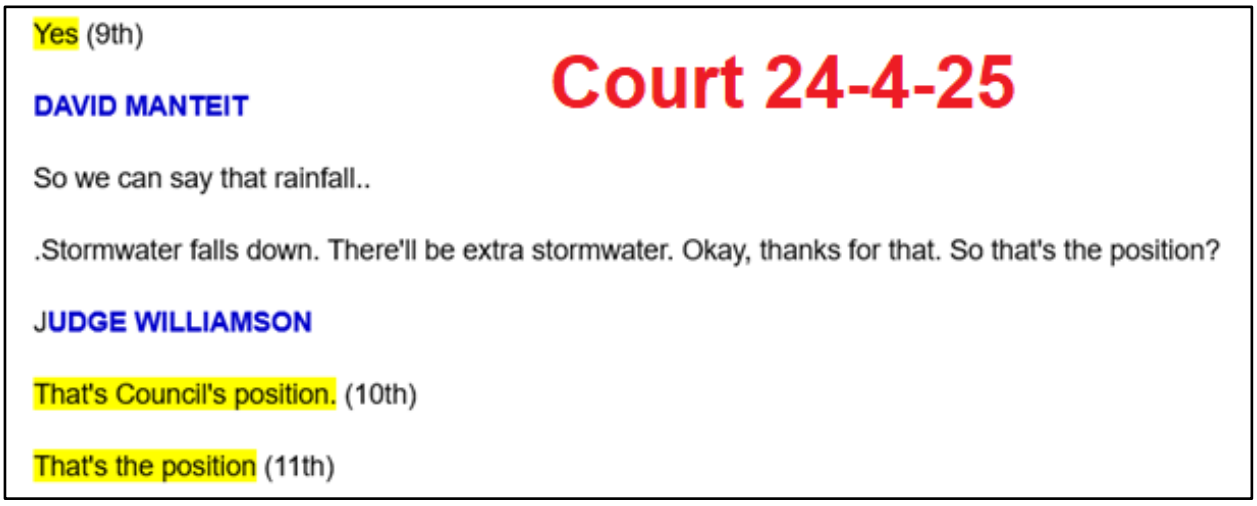
DAVID MANTEIT

Oh, I thought, well, we're starting afresh. But no, that one is. That is relied on, it?

JUDGE WILLIAMSON

Correct. (8th)

Index



Yes (9th)

Court 24-4-25

DAVID MANTEIT

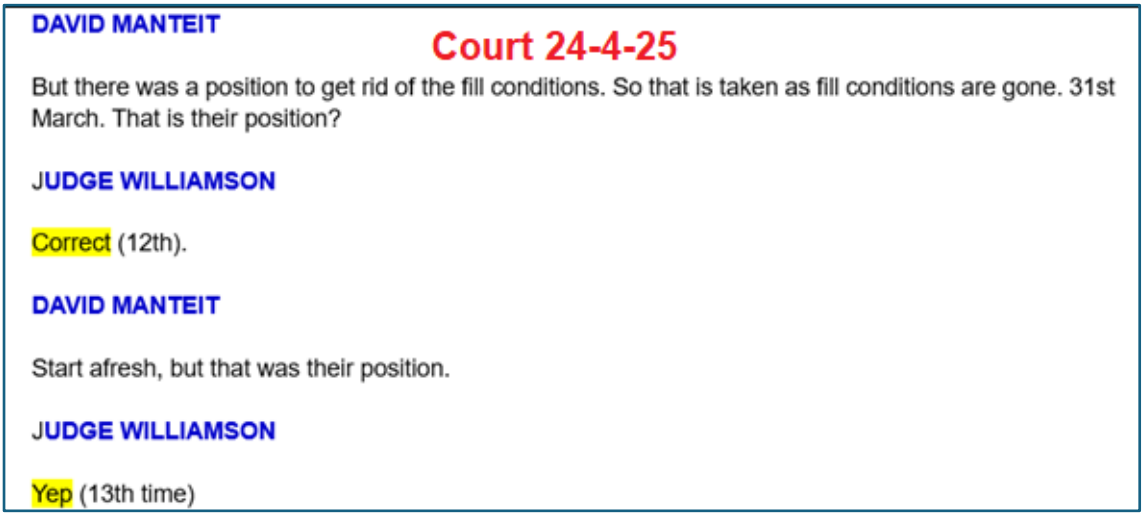
So we can say that rainfall..

.Stormwater falls down. There'll be extra stormwater. Okay, thanks for that. So that's the position?

JUDGE WILLIAMSON

That's Council's position. (10th)

That's the position (11th)



DAVID MANTEIT

Court 24-4-25

But there was a position to get rid of the fill conditions. So that is taken as fill conditions are gone. 31st March. That is their position?

JUDGE WILLIAMSON

Correct (12th).

DAVID MANTEIT

Start afresh, but that was their position.

JUDGE WILLIAMSON

Yep (13th time)

Background

1. Susan Hedge, Counsel instructed by **Cr Schrinner** and **Dr Freeman** for **Council**, around 11.30am on 24-4-25, **lied to Judge Williamson KC** and the Court, stating that **Council's position for the trial was as of 31/1/25**, Court file no. 23.

2. Sara McCabe handed Susan Hedge the court document 23, in order to prove that the **Council** position was as of 31-1-25 and **Sara McCabe** is complicit in this act of alleged deceit to Judge Williamson KC and the court.

3. In as little as one hour later, **Sara McCabe** or another person from Council, filed a totally different position, in the Planning Court.

4. Susan Hedge was silent when Judge Williamson KC to stated to David Manteit 13 times, that Council's position for the trial was as of the Notice of disputed reasons, dated 31/1/25.

Index

5. Neither Susan Hedge, nor **Sara McCabe** uttered a word to Judge Williamson KC to correct His Honour's 13 statements to Manteit, that the Council position for the trial was 31-1-25.

6. Neither Susan Hedge nor **Sara McCabe made any** attempt to rebut the statement by His HonourJudge Williamson KC, thirteen times, stating to Manteit the position for the trial was as of 31-1-25.

7. It would have taken a team of Council workers many days or weeks to change -

- Condition 18 red lines and conditions.
- Condition 17 red lines
- Timing of submission of engineering

And not one hour, or a few hours.

8. It is alleged that Dr Freeman and Cr Schrinner have staged their actions in order to thwart and prejudice the case of Manteit, using dishonesty, in order to protect their unlicenced employes and ultimately their own jobs and reputation.

Statements made by Susan Hedge and His Honour Judge Williamson KC on 24-4-25.

9.The hearing of 24-4-25 became a pretrial hearing. It was called at the request of Council. It was about 75 minutes long.

10. 10. Cr Manteit stated in that hearing, for 5 minutes, to His Honour about the necessity and a request to have a determination about the red lines placed in the approval.

Susan Hedge was silent, and did not interrupt His Honour to state that the red lines for Upstream Drainage and conditions were being removed by Council, in as little as one hour later, filed in court.

11. It is alleged that Susan Hedge has lied in Court on 24-4-25, by stating that Council's position for the trial, many times, in many various ways, was Court document 23, 31-1-25.

Index

His Honour Judge Williamson KC asked Susan Hedge “I thought a position… Council had filed a position statement. ..”

Susan Hedge turned to Sara McCabe who advised Susan Hedge,” it was Court document 23”, Susan Hedge stated to His Honour Judge Williamson KC, it was in fact Court Document number 23, filed on 31-1-25.

12. Statements were made ad nauseum by Susan Hedge to His Honour Judge Williamson KC, on 24-4-25, that reinforced Councils position for the trial was as of Court document 23, dated 31-1-25.

13. Susan Hedge listened to His Honour state to Manteit 13 times, in various words, that Council’s position for the trial was 31-1-25. Manteit asked His Honour many times, in different words, was he sure that Council’s position for the trial was 31-1-25.

Manteit asked His Honour “So that’s the position?” His Honour “that’s the position”

His Honour “That’s Council’s position”. “That’s the position”.

Manteit - “That’s relied on, is it? “

His Honour replied “Correct”

14. Susan Hedge never uttered a word to correct Judge Williamson KC to correct his 13 advices to Manteit.

Index

28. Hearing 24-4-25. Judge Williamson KC forced by Susan Hedge to not read any of the Respondent's filed material at the pretrial.

1. It is a criminal contempt of Court by Susan Hedge to force Judge Williamson KC into not having read any of Council's material to be relied on before the trial, at the hearing 24-4-25, based on the extract below, to the best of Manteit's knowledge.

2. It is a criminal contempt of court by Susan Hedge to box in Manteit and allegedly His Honour by the filing of all Council material in contempt of Court, after 22-4-25.

3. It is contempt of Court by Susan Hedge, as an act of omission for 7 months, to hide Council flooded Upstream plans until 5 minutes before the trial.

4. It is contempt of Court by Susan Hedge to hand His Honour an illegal document being the Corrigan report that used illegal Bris 2019 contours.

Background

1. At the hearing on 24-4-25, His Honour Judge Williamson KC made the following statements as per transcript below.

2. 5 minutes before the end of that hearing, and therefore 5 hearing minutes before the trial, His Honour stated "yes I will take working copies"

Susan Hedge stated to His Honour, "I have a working copy for Your Honour, if you would find that helpful"

3 As of that hearing on 24-4-25, there was no change in Council position. The position was changed in as little as one hour later by Council filing Court doc 49.

24-4-25. It appears that His Honour had not read any Council material 5 hearing minutes before the trial. "Yes, I will take working copies"

"We'll have on Monday to have a look at"

JUDGE WILLIAMSON

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

JUDGE WILLIAMSON

Yes, so I will take those.

SUSAN HEDGE

Yes, we're expecting the CEO, so I'm handing up, just to be clear on the record, an affidavit of... Kieran Ryan, dated 22 April 2025, and an affidavit of Andrew Dennis Corrigan, dated 22 April.

JUDGE WILLIAMSON

Index

24-4-25. 5 business minutes before the start of the trial.

His Honour Judge Williamson had not read one word of evidence to be relied upon by Council, as of 5 minutes before the trial.

JUDGE WILLIAMSON

We should be able to get to the bottom of this pretty quickly.

24-4-25, 5 minutes before the trial
Judge Williamson - "I'll call them Primary Documents, like contour plans and the like. which we'll have on Mondav to have a look at."

JUDGE WILLIAMSON

Judge Williamson had never read any of Council contour plans until 5 minutes before the trial.

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

24-4-25, 5 minutes before the trial - Judge Williamson "Yes, (to Susan Hedge) I will take the working copies, if you don't mind"

JUDGE WILLIAMSON

Yes, so I will take those.

5 minutes before the trial, Judge Williamson took working copies from Susan Hedge because he hadn't read any of Council's material to be relied upon.

JUDGE WILLIAMSON **24-4-25**

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

Susan Hedge handed His Honour Corrigans report which used illegal 2019 Contour Plans - Contempt of Court. S226, 4500 penalty units

Index

29. Hearing 24-4-25, Susan Hedge - “He has everything in exactly the form that will be filed or relied on” - 5 hearing minutes before the trial.

Contempt of Court

1. It is a criminal contempt of Court on 24-4-25 by Susan Hedge to lie to His Honour Judge Williamson KC around minutes before the end of that hearing which equates to 5 hearing minutes before the trial the following -

“But that’s the only reason why I can’t say yes – he has everything in exactly the form that will be filed or relied on.”

“We’ve provided a draft CEO certificate, and that’s the only reason I can’t say yes, is because its still in draft.

These statements were made in response to His Honour’s question to Susan Hedge

"Ms Hedge, has the Council now provided all of its material to Mr Manteit ?"

In as little as one hour later, or less, somebody from Schrinner Council filed Court document 49, being an affidavit that provided a position statement with totally new material and a change in position.

Perhaps Court document 49 was already filed when Susan Hedge made these lying statements to Judge Williamson KC, on 24-4-25. There is no video for evidence available.

2. It is a criminal contempt of Court by Sara McCabe to assist Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by the Susan Hedge statement “**he has everything in exactly the form that will be filed or relied on.”**

3. It is a criminal contempt of Court by Schrinner Council, Cr Schrinner and Dr Freeman to give instructions to Susan Hedge to lie to Judge Williamson KC and the Court on 24-4-25 by Susan Hedge making the statement “**he has everything in exactly the form that will be filed or relied on.”,**

Background to this section.

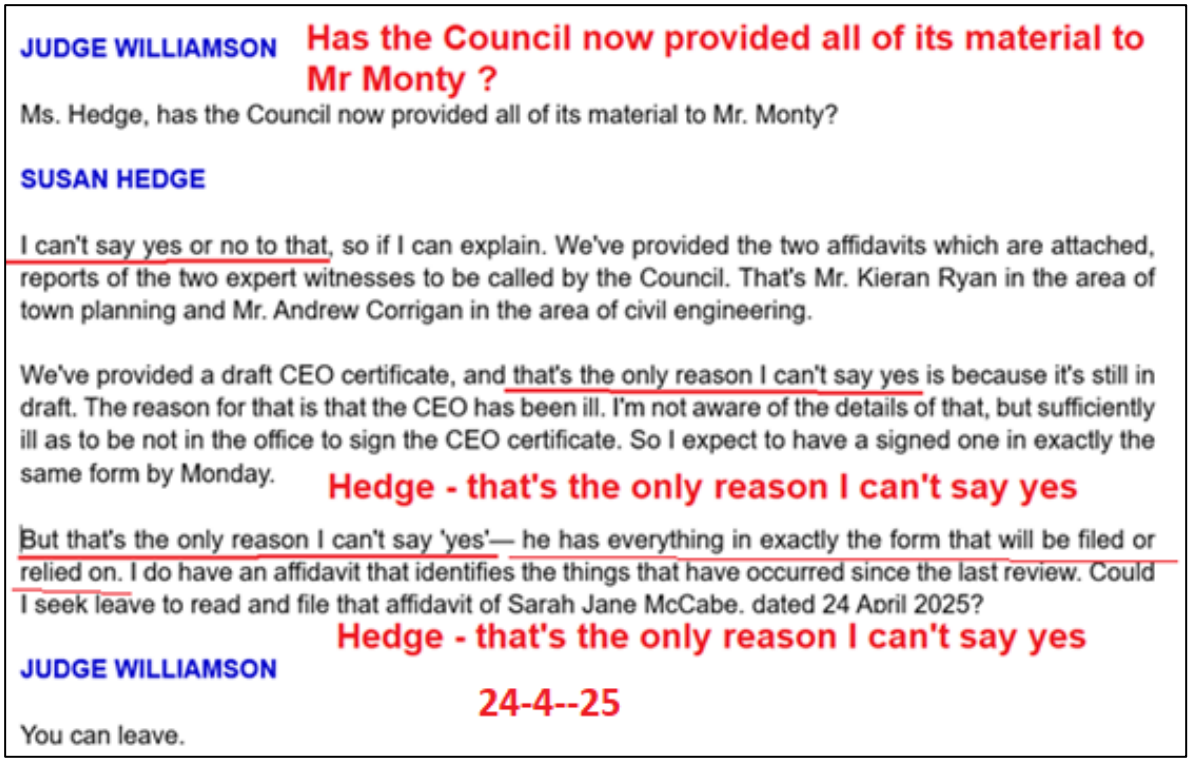
The lies by Susan Hedge are endless.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

Index



JUDGE WILLIAMSON **Has the Council now provided all of its material to Mr Monty ?**

Ms. Hedge, has the Council now provided all of its material to Mr. Monty?

SUSAN HEDGE

I can't say yes or no to that, so if I can explain. We've provided the two affidavits which are attached, reports of the two expert witnesses to be called by the Council. That's Mr. Kieran Ryan in the area of town planning and Mr. Andrew Corrigan in the area of civil engineering.

We've provided a draft CEO certificate, and that's the only reason I can't say yes is because it's still in draft. The reason for that is that the CEO has been ill. I'm not aware of the details of that, but sufficiently ill as to be not in the office to sign the CEO certificate. So I expect to have a signed one in exactly the same form by Monday.

Hedge - that's the only reason I can't say yes

But that's the only reason I can't say 'yes'— he has everything in exactly the form that will be filed or relied on. I do have an affidavit that identifies the things that have occurred since the last review. Could I seek leave to read and file that affidavit of Sarah Jane McCabe. dated 24 April 2025?

Hedge - that's the only reason I can't say yes

JUDGE WILLIAMSON

24-4--25

You can leave.

24-4-25 Judge Williamson KC – 5 hearing minutes before the trial -"Ms Hedge, has the Council now provided all of its material to Mr Manteit ?"

Susan Hedge - "We've provided a draft CEO certificate and that's the only reason I can't say yes"

Susan Hedge - "that's the only reason"

Lie by Susan Hedge - "He has everything in exactly the form that will be filed or relied on."

Susan Hedge's motive for this lie and other lies to the Court was allegedly to –

- Protect the reputation of the corrupt Council employees (as already alleged by the Crime and

Corruption Commission 17-9-25.).

- Protect the reputation of Schrinner Council, Cr Schrinner and Dr Freeman, in general.
- Protect the reputation of Cr Schrinner and Dr Freeman in order that they are not charged by the Crime and Corruption Commission for corrupt conduct themselves.

His Honour Judge Williamson KC was never informed of the filing of Court document 48 and 49 by Council or Susan Hedge, to my knowledge at the hearing on 28-4-25.

Court documents 48 and 49 were never tabled at the hearing, by Susan Hedge, neither at her initial opening, nor at any stage in the trial.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

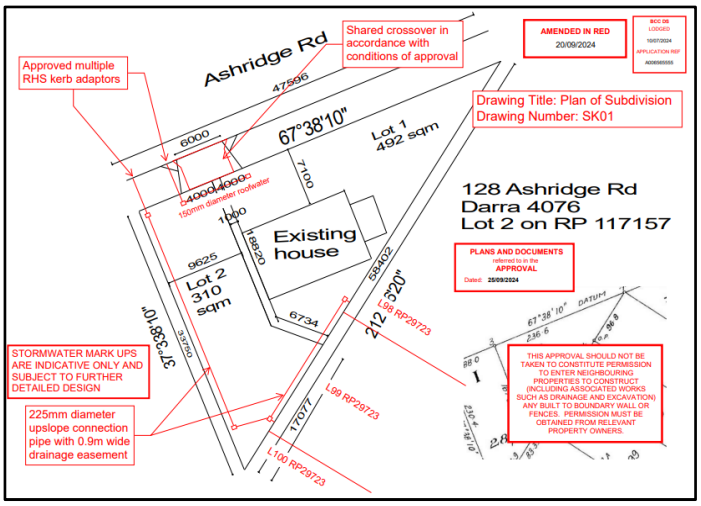
Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

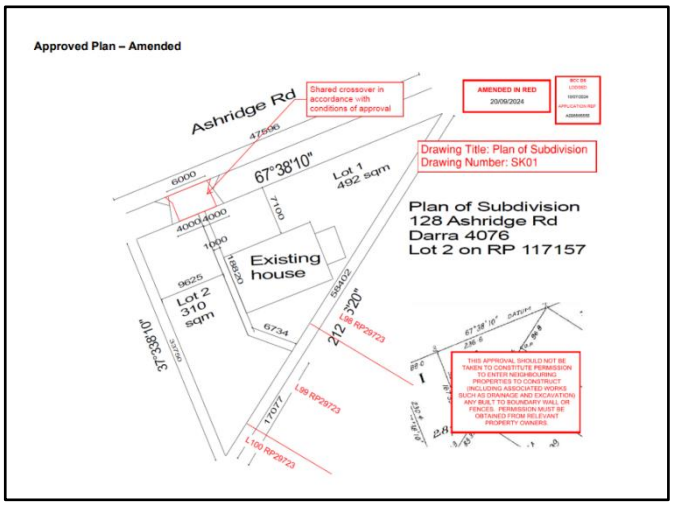
Below is the table of changes made, filed at the Court registry, on 24-4-25 without His Honour's knowledge, I believe.

'18) Up Stream Stormwater Drainage Connection – Minor *Provide a stormwater drainage connection for Lot(s) 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge, as generally shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a useable pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel.* *Note:* *All upslope stormwater connection to existing private properties must extend to the property boundary of the relevant property being ultimately serviced by that connection.*	***'18) Up Stream Stormwater Drainage Connection – Minor*** *Provide a stormwater drainage connection for Lot(s) 97, 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge~~., as generally shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a useable pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel.~~ The lawful point of discharge to the kerb and channel must be achieved via gravity.* *Note:* *All upslope stormwater connection to existing private properties must extend to the property boundary of the*

Index



DA plan approved 25-9-24



Plan filed by Council 24-4-25.

17) On Site Drainage - Minor	***17) On Site Drainage - Minor***
Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a usable building pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel. A charged system does not achieve an acceptable lawful point of discharge.	*Provide a stormwater connection to all new or existing allotments and provide drainage infrastructure to ensure stormwater run-off from all roof and developed surface areas will be collected internally and piped in accordance with the relevant Brisbane Planning Scheme Codes to the existing kerb and channel in Ashridge Road~~. and generally as shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a usable building pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel~~. The lawful point of discharge to the kerb and channel must be achieved via gravity.*
NOTE:	*NOTE:*

Changes to condition 17

DA approval 25-9-24 **Filed 24-4-25**

Index

'18) Up Stream Stormwater Drainage Connection – Minor *Provide a stormwater drainage connection for Lot(s) 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge, as generally shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a useable pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel.* *Note:* *All upslope stormwater connection to existing private properties must extend to the property boundary of the relevant property being ultimately serviced by that connection.*	***'18) Up Stream Stormwater Drainage Connection – Minor*** *Provide a stormwater drainage connection for Lot(s) 97, 98 and 99 on RP29723 designed for ultimate developed catchment conditions and connected to the existing kerb and channel in Ashridge Road being the lawful point of discharge~~., as generally shown on the APPROVED Plan of Subdivision SK01 received 10 JUL 2024 and as amended in red. The development site must be filled to create a useable pad for proposed Lot 2 and to achieve a lawful point of discharge via gravity to the kerb and channel.~~ The lawful point of discharge to the kerb and channel must be achieved via gravity.* *Note:* *All upslope stormwater connection to existing private properties must extend to the property boundary of the*

Changes to condition 18
DA approval 25-9-24 **Filed 24-4-25**

DA approval 25-9-24 **Filed 24-4-25**

Decision Notice Condition	Amended condition[1]
18(b) Implement Certified Stormwater Drawings *Carry out the works in accordance with the above stormwater drawings.* *Timing: Prior to Council's notation on the plan of subdivision.* *Prior to Council's notation on the plan of subdivision* ***18(c) Submit As Constructed Drawings*** *Submit to Development Services As Constructed drawings prepared and certified by a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable).* *Note: To be submitted via DA-ComplianceEngineering@brisbane.qld.gov.au and include the site address, A00 reference and Condition number in the subject line.* *Timing: Prior to Council's notation on the plan of subdivision.* *PROOF OF FULFILMENT* *Certification from a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable), confirming that the works*	*Timing: Prior to site/operational work commencing and after approval is obtained from Council about the stormwater drawings.* ***18(b) Implement Certified Stormwater Drawings*** *Carry out the works in accordance with the above stormwater drawings.* *Timing: Prior to Council's notation on the plan of subdivision.* *Prior to Council's notation on the plan of subdivision* ***18(c) Submit As Constructed Drawings*** *Submit to Development Services As Constructed drawings prepared and certified by a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable).* *Note: To be submitted via DA-ComplianceEngineering@brisbane.qld.gov.au and include the site address, A00 reference and Condition number in the subject line.* *Timing: Prior to Council's notation on the plan of subdivision.* *PROOF OF FULFILMENT*

Changes to condition 18
DA approval 25-9-24 **Filed 24-4-25**

Index

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

JUDGE WILLIAMSON

Court 24-4-25

Ms. Hedge, has the Council now provided all of its material to Mr. Monty?

SUSAN HEDGE

I can't say yes or no to that, so if I can explain.

We've provided the two affidavits which are attached, reports of the two expert witnesses to be called by the Council.

That's Mr. Kieran Ryan in the area of town planning and Mr. Andrew Corrigan in the area of civil engineering.

We've provided a draft CEO certificate, and that's the only reason I can't say yes is because it's still in draft.

The reason for that is that the CEO has been ill.

I'm not aware of the details of that, but sufficiently ill as to be not in the office to sign the CEO certificate. So I expect to have a signed one in exactly the same form by Monday.

But that's the only reason I can't say 'yes'— he has everything in exactly the form that will be filed or relied on.

Index

30. Hearing 24-4-25, “Is there any more from the Council’s side I need to know about before Monday?” Susan Hedge “No, I don’t think so”

Alleged Contempt of Court

1. It is a criminal c**ontempt of Court by Susan Hedge** to lie to Judge Williamson KC is to Judge Williamson KC, on 24-4-25, around 3 minutes before the end of that hearing and effectively 3 hearing minutes before the trial, by making the statement **“No I don’t think so”** when Judge Williamson KC had asked Susan Hedge “Is there any more from the Council’s side I need to know about before Monday?”

This is clearly alleged contempt of court, of the highest order.

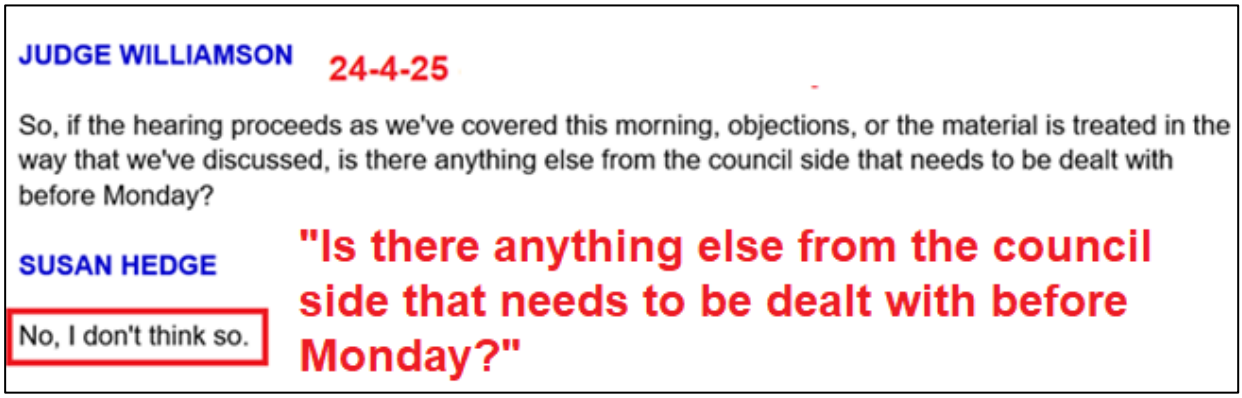
2. It is a criminal **contempt of Court by Sara McCabe,** present in the room as an act of omission not to correct the statement by Susan Hedge to Judge Williamson KC “**No I don’t think so”** when Judge Williamson KC asked Susan Hedge “Is there any more from the Council’s side I need to know about before Monday?”, since Sara McCabe is the last point of authority as a person to provide instructions to Susan Hedge.

3. It is a criminal c**ontempt of Court by Schrinner Council** to have provided instructions for Susan Hedge to lie to Judge Williamson KC “**No I don’t think so”** when Judge Williamson KC asked Susan Hedge “Is there any more from the Council’s side I need to know about before Monday?”

Background to this section

1. On Friday, 24-4-25, around 3 minutes before the end of the pretrial meeting Susan Hedge made the statement “No I don’t think so” when Judge Williamson KC asked Susan Hedge “Is there any more from the Council’s side I need to know about before Monday?

2. This statement would be classed as Contempt in your face, but His Honour was not aware of the lie until 5 minutes into the trial on Monday morning at around 10 am, when Susan Hedge tabled the change in Council’s conditions and position.

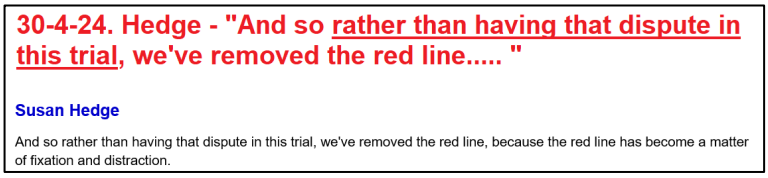


Index

3. Sara McCabe, Brisbane City Council solicitor, did not speak up in contradiction of this statement by Susan Hedge.

4. Schrinner Council, Cr Schrinner and Dr Freeman have instructed Susan Hedge to lie to Judge Williamson KC by making the false statement in order to

- Avoid argument in the trial.
- Avoiding charges from the Crime and Corruption Commission
- Protecting the reputation of corrupt Council employees
- Protecting the reputation of Schrinner Council, Dr Freeman and Cr Schrinner.



Index

31. Hearing 24-4-25. Susan Hedge lie in relation to timing of submission of engineers drawings – Condition 18.

Alleged Contempt of Court

1. It is a criminal contempt of Court, by Susan Hedge at the pretrial hearing, on 24-4-25 to have lied to His Honour Judge Williamson KC and the court, by making the following statements, around 5 minutes before the end of that pretrial hearing and around 5 hearing minutes before the trial -

24-4-45

"Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required."

"Cr Ryan's dealt with that in his report, as as to provide an expert opinion about that"

"Just requires the submission of as constructed plans"

"Council's position is that no other approval is required",

when at the start of the trial, on **28-4-25**, only around 10 hearing minutes later,

Susan Hedge stated to the Court –

"It should say……after approval is obtained from Council about the stormwater drawings"

"That's just by error there"

"It doesn't make sense"

"That is a significant issue in the case"

Judge Williamson KC said –

"Yes"

2. It is a criminal contempt of Court by Susan Hedge to have made all the statements to His Honour Judge Williamson KC in 1. above, on 24-4-25, in full knowledge that in as little as one hour later, Sara McCabe and Schrinner Council were to file condition changes to S18 of the DA approval, reflecting the same changes to the timing of submission of engineers drawings to before construction of the Upstream Drainage pipes, not before construction of the Upstream Drainage pipes.

Index

3. It is a criminal contempt of Court, by Susan Hedge to have thwarted Manteit's case from 19-11-24 , by lying to the Court in the hearing on 24-4-25 in relation to the statements in 1, and is a criminal act of omission to not have changed the DA approved condition 18 condition at any of the hearings before, on 12-12-24, 12-2-25 and 14-4-25, when Manteit had made substantial allegations in various letters, to Schrinner Council, as filed. As stated by Susan Hedge, on 28-4-25.

4. It is a criminal contempt of Court, by Susan Hedge for 7 months by an act of omission, to have intentionally thwarted Manteit's case from 19-11-24 to 28-4-25 by her own admission "This is a significant issue in this case".

5. It is a criminal contempt of Court, by Susan Hedge to have prevented Manteit's RPEQ engineer to have ever had an opportunity at any stage to have ever been able to submit engineers drawings since the Schrinner Council employees Upstream Drainage plans were flooded under Ashridge Rd kerb by 1.2m and Manteit's RPEQ would have lost his RPEQ licence for life, due to Susan Hedge lies as per 1. above, and acts of omission by Susan Hedge by not changing the wording from 19-11-24.

6. It is a criminal contempt of Court by the Respondents, by an act of omission. to have made the wording in condition 18 in relation to timing of submission of engineers drawings in the approval dated 19-11-24 when the condition was changed on 24-4-25 by filing of the change (but not informing Judge Williamson KC at the hearing on 24-4-25), and treating the court like fools, for 7 months, when Council knew the pipes were flooded since 2/9/24.

7. It is a criminal contempt of Court by the Respondents to have made changes to the wording in condition 18 on 24-4-25 in relation to timing in the "Reasons for the disputed conditions" but knew full well that this was a significant issue in this case, on 31-1-25, when they made the Notice of disputed reasons..

Background to this section

Examples of Susan Hedge lies are endless, in this case, and a prison sentence of minimum of two years is the only finding a court should make in this appeal, on this lie by Susan Hedge and on 24-4-25 and acts of omission from 19-11-24.

Index

Susan Hedge statements in the hearing hearing on 24-4-25 to His Honour Williamson KC, 5 minutes before the end of that pretrial hearing.

24-4-25 **"and the Council's position is that no other approval is required" - Susan Hedge lie.**

SUSAN HEDGE

Yes. Well, there is, if it assists. The current conditions as they are do not identify a required engineering solution. They are an indicative solution. And then a RPEQ-designed solution is to be implemented.

Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required.

Mr. Ryan's dealt with that in his report, so as to provide an expert opinion about that.

JUDGE WILLIAMSON

But the conditions themselves require the submission of an engineering plan.

24-4-25 Susan Hedge - "Council's position is that no other approval is required.

Mr Ryan's dealt with that in his report"

SUSAN HEDGE

Yes. Well, there is, if it assists. The current conditions as they are do not identify a required engineering solution. They are an indicative solution.

And then a RPEQ-designed solution is to be implemented.

Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required.

Mr. Ryan's dealt with that in his report, so as to provide an expert opinion about that.

Susan Hedge statements in the

on 28-4-25, to His Honour Judge Williamson KC, 5 minutes after the start of the trial.

Could I make an amendment though to our conditions which is on page 12. **28-4-25**

Judge Williamson KC

Yes.

Susan Hedge **'the timing for 18A"**

Your Honour, we'll see timing right at the top of the page and that's the timing for 18A.

Judge Williamson KC

Yes.

Susan Hedge **Hedge - "that's just by error there"**

And the part that's underlined, which reads, and after approval is obtained from council about stormwater drawings, that's just by error there. That inclusion should be in 18B, because 18A is about obtaining approval.

Judge Williamson KC

Ah right

Susan Hedge **Hedge - "it doesn't make sense**

And so it doesn't make sense to obtain approval after you've obtained approval. So, in 18B, it should say timing prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings.

28-4-25 **Hedge - "*This is a significant issue in this case"***

Judge Williamson KC

Right. So, that part of the note is deleted from 18A and removed to 18B

Susan Hedge

Yes, thank you. In 18B, under timing, there's actually two sentences that say the same thing. So, the second of those can be struck through.

Susan Hedge **Hedge - "*This is a significant issue in this case"***

That is an issue, a significant issue in the c

Judge Williamson KC

Yes **Judge Williamson KC - "Yes"**

Susan Hedge statements to Judge Williamson KC at the pretrial hearing, on 24-4-25 – next page.

Index

24-4-25 Susan Hedge - submission of as-constructed plans (both 17 and 18 prior to plan sealing")

SUSAN HEDGE

Yes. So Condition 18, which is the upstream connection condition, which seems to be the one most in debate, the main condition is to provide a stormwater drainage connection for certain upstream lots.

And then the sub-conditions are: I'm just giving you the short version, prepare stormwater drawings, which have to be certified by an RPEQ. Then implement (consruct) those certified stormwater drawings is 18B. And then 18C is submit as constructed drawings to the council. And the timing of that, I'm sorry.

JUDGE WILLIAMSON

That's not the condition I have in mind. There's another condition which talks about, I thought, a submission of an engineering plan, but that's...

SUSAN HEDGE

17, which is the on-site drainage which also just requires the submission of the as-constructed drawings.

And could I just indicate the timing of the submission is prior to Council's notation on the plan of subdivision?

JUDGE WILLIAMSON

Yeah, prior to sealing, yeah.

SUSAN HEDGE

And then the other... Yeah, so condition 12 might be what Your Honour was thinking about. It's about filling and excavation. Yep. And 12A is submit earthworks drawings prepared by an RPEQ.

Index

24-4-25 Susan Hedge - "17... also just requires the submission of the as-constructed drawings"

JUDGE WILLIAMSON

That's not the condition I have in mind. There's another condition which talks about, I thought, a submission of an engineering plan, but that's...

SUSAN HEDGE

17, which is the on-site drainage which also just requires the submission of the as-constructed drawings.

And could I just indicate the timing of the submission is prior to Council's notation on the plan o subdivision?

JUDGE WILLIAMSON

Yeah, prior to sealing, yeah.

Perhaps one hour later - Council changed their position to requiring submitting of RPEQ plans prior to construction of pipes. Filed in Court.

24-4-25 "and the Council's position is that no other approval is required" - Susan Hedge lie.

SUSAN HEDGE

Yes. Well, there is, if it assists. The current conditions as they are do not identify a required engineering solution. They are an indicative solution. And then a RPEQ-designed solution is to be implemented.

Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required.

Mr. Ryan's dealt with that in his report, so as to provide an expert opinion about that.

JUDGE WILLIAMSON

But the conditions themselves require the submission of an engineering plan.

Lie by Susan Hedge – “Council’s position (24-4-25) is that no other approval is required.”

Susan Hedge doubled down -“Mr Ryan’s dealt with that in his report.”

Index

However, around 5 minutes into the trial on 28-4-25 -

The following are Susan Hedge statements in Court to Judge Williamson KC on 28-4-25 re timing of engineering submission.

Could I make an amendment though to our conditions which is on page 12. 28-4-25

Judge Williamson KC

Yes.

Susan Hedge 'the timing for 18A"

Your Honour, we'll see timing right at the top of the page and that's the timing for 18A.

Judge Williamson KC

Yes.

Susan Hedge Hedge - "that's just by error there"

And the part that's underlined, which reads, and after approval is obtained from council about stormwater drawings, that's just by error there. That inclusion should be in 18B, because 18A is about obtaining approval.

Judge Williamson KC

Ah right

Susan Hedge Hedge - "it doesn't make sense

And so it doesn't make sense to obtain approval after you've obtained approval. So, in 18B, it should say timing prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings.

28-4-25 Hedge - "*This is a significant issue in this case"*

Judge Williamson KC

Right. So, that part of the note is deleted from 18A and removed to 18B

Susan Hedge

Yes, thank you. In 18B, under timing, there's actually two sentences that say the same thing. So, the second of those can be struck through.

Susan Hedge Hedge - "*This is a significant issue in this case"*

That is an issue, a significant issue in the c

Judge Williamson KC

Yes Judge Williamson KC - "Yes"

C with the change in Council position, being amendments to the wording of Condition 18.

Susan Hedge - "And so it doesn't make sense to obtain approval after you've obtained approval.

Index

It should say timing prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings"

Susan Hedge stated to Judge Williamson KC that "it is a significant issue in this case"

Judge Williamson KC agreed, and stated "yes"

32. Hearing 24-4-25 - Hiding by Susan Hedge of change to condition 17

Alleged Contempt of Court

1. It is a criminal contempt of Court on 24-4-25 by Susan Hedge to state to His Honour Judge Williamson KC *"So condition 18, which is the upstream connection, which seems to be the one most in debate."*

Background

SUSAN HEDGE 24-4-25

Yes. So Condition 18, which is the upstream connection condition, which seems to be the one most in debate, the main condition is to provide a stormwater drainage connection for certain upstream lots.

And then the sub-conditions are: I'm just giving you the short version, prepare stormwater drawings, which have to be certified by an RPEQ. Then implement those certified stormwater drawings is 18B. And then 18C is submit as constructed drawings to the council. And the timing of that, I'm sorry.

JUDGE WILLIAMSON

That's not the condition I have in mind. There's another condition which talks about, I thought, a submission of an engineering plan, but that's...

SUSAN HEDGE

17, which is the on-site drainage.

Also just requires the submission of the as-constructed drawings. And could I just indicate the timing of the submission is prior to Council's notation on the plan of subdivision?

On 24-4-25, Susan Hedge deliberately refused to disclose to Judge Williamson KC that condition 17 red lines would be removed , in as little as one hour later, for the trial.

Susan Hedge attempted to deflect from Judge Williamson KC, that Council held onto the conditions of Condition 17 for 7 months, without uttering a word of any future changes to be made.

In as little as one hour later, Sara McCabe or other Council person filed a totally different position, in Court, in relation to several matters, which was an act of contempt of court.

Susan Hedge conned Judge Williamson KC saying that "So condition 18, which is the upstream condition, which seems to be the one most in debate"

Index

It is on record in hundreds of pages of filed documents in 2916/24 that the Onsite Drainage was flooded under the kerb and the kerb adaptor was placed 5.1m up from the low side of the kerb, including the Notice of Appeal.

It was deceitful by Susan Hedge to state to Judge Williamson KC, in order to hide the intention of Council to change the position in as little as one hour -

"So condition 18, which is the upstream condition, which seems to be the one most in debate"

Susan Hedge made this statement to His Honour on 30-4-25 -

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

Index

33. Hearing 24-4-25. “Can I just put all the cards on the table, to assist, Your Honour?”

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge and all the Respondents to state to His Honour Judge Williamson KC on 24-4-25 *“can I just put all the cards on the table to assist, Your Honour?”*

“So the Civil Works report says that where the red line is, the indicative line on the plan, that won’t work”

The very nature of having cards is a statement that you have been hiding something.

The hiding by Susan Hedge for 7 months was that the Council’s Upstream Drainage plan would have flooded Darra residents and caused nuisance flooding and possible death.

Refer PSP7.6.1(1)

7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

2. It is a criminal contempt of Court by Susan Hedge and all the Respondents, by an act of omission for 7 months, to have held withheld relevant information to the case. In this case, for around 8 months, the fact that the Upstream Drainage plans are flooded by 1.2m under the Ashridge Rd kerb

3. It is a criminal contempt of court by Susan Hedge to have wasted Manteit, His Honour’s and the court’s time for 8 months. If Susan Hedge had informed Manteit by admittance that the pipes were flooded, when he advised Council employees on 10/10/24, there would have not been any court case.

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

Index

Hedge - "can I put all the cards on the table to assist, Your Honour?

24-4-25

SUSAN HEDGE

So, less than the trigger for accessible development. And perhaps, can I just put all the cards on the table to assist, Your Honour? Mr. Corrigan...

So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

22-4-25 Corrigan the goldfiish - the discharge level of the pipe accordingly would be lower than the kerb.

9.11.3. Civil Works Engineers then depicted Diagram 3 where correct ground cover was assumed and the conclusion made that the discharge level of the pipe accordingly would be lower than the kerb level in Ashridge Road. As stated above, I don't disagree with the levels shown by Civil Works Engineers. However, in my experience, a stormwater designing civil engineer would move to a design such as in my **Attachment D** which does achieve the necessary levels.

Dumbo Byth Chambers barrister either couldn't work that out for 7 months or has lied for 7 months. It can only be one or the other.

Which one is it ? Please advise the ratepayers and the CCC.

Your Lord Mayor paid your rates bills for this rubbish.

Index

Background to this section.

Susan Hedge stated to Judge Wiliamson KC – “can I just put all the cards on the table to assist, Your Honour?”

Susan Hedge had either been lying to Judge Williamson KC and the Planning Court directly, or by act of omission, for 8 months

In other words, Susan Hedge had lied for 7 months

Susan Hedge - "Can I just put my cards on the table" - indicating previous alleged dishonesty of Susan Hedge, Dr Freeman,(allegedly), Cr Schrinner, (allegedly), Council and Council licenced and unlicenced employees, from 25/9/24 to 24/4/25 (7 months).

Why did Cr Schrinner and Dr Freeman have cards? Why did they hold cards and what were the cards?

Index

34. Hiding of court doc 49 - Opening day of the trial 28-4-25

Alleged Contempt of Court

1. It is a criminal contempt of court by Susan Hedge of the highest order, to fail to table Court document 49 to His Honour around 5 minutes after the trial opened on 28/4/25, or at any time in the trial.

2. It is a criminal contempt of Court by Susan Hedge to state to His Honour on 28-4-25, in relation to the table of conditions and Court document 49,

"the affidavits not necessary" and her hiding of the fact that Court document 49 was filed on 24/4/25, in contempt of court.

3. It is criminal contempt of Court by Susan Hedge to not inform His Honour that Court doc 49 was filed in as little as one hour after the end of the hearing on 24/4/25.

Background to this section

44	23/04/2025	Affidavit	AD CORRIGAN & EXHS ADC-1	Respondent
45	23/04/2025	Affidavit	K RYAN & EXHS KR-1	Respondent
47	14/04/2025	Order	WILLIAMSON KC DCJ - 14.04.2025	Respondent
48	24/04/2025	Affidavit	of SJ McCABE & exh "SJM-1" - "SJM-3"	Respondent
49	24/04/2025	Affidavit	OF: S J MCCABE, EX SJM-4	Respondent
50	24/04/2025	Certificate	OF: K FREEMAN, EXS 1- 26 (VOLUME 1 OF 2)	Respondent
51	24/04/2025	Certificate	OF: K FREEMAN, EXS 27 - 29 (VOLUME 2 OF 2)	Respondent

Judge Williamson KC **28-4-25**

Well, and Mr... One, two, three, four, five. Okay, so, looking at paragraph one of the agreement four, court document number 23, I will... I'll mark court document 23, that'll be exhibit five. The affidavit of Mr. Corrigan, which is court document 44, that'll be exhibit six. The affidavit of Mr. Ryan will be Exhibit 7. That's number 45. And court documents 50 and 51, which are the CEA certificate of Freeman, I'll mark collectively Exhibit 8. the Table of Conditions…

Susan Hedge

Can I tender a copy of that? It's the same as was attached to the affidavit but the affidavit's not necessary.

Judge Williamson KC

Okay, Council's Table of Conditions will be Exhibit 9.

Hedge -"the affidavit's' not necessary"

Susan Hedge

I might give Your Honour a moment to read the opening submissions if that's appropriate. Mr Monty also hasn't had a chance to read them. I gave them to him a few minutes before we started, so he might all read

Judge Williamson KC

them. Mr Monty, I'm just about to read the Council's opening submissions.

Index

Susan Hedge to Judge Williamson KC - “the affidavits’s not necessary”

Index

12/11/2025, 07:47 Mail - david manteit - Outlook

Outlook

RE: REQUEST FOR INFORMATION MANTIT V BRISBANE CITY COUNCIL 2916/24

From Steven Adams <steven.adams@justice.qld.gov.au>
Date Tue 21/10/25 11:53 AM
To david manteit <davidmanteit@hotmail.com>

David,

Further to my previous email I have investigated whether the affidavit of Sarah J McCabe filed on 24 April 2025, being Court Document 49, was tendered as an exhibit at the hearing.

I have reviewed the list of exhibits tendered and the exhibits themselves. I have also listened to the court recording of the hearing.

On 28 April 2025, the Respondent tendered a document being a table called "Conditions contended by Respondent". It was referred to by His Honour (HH) in the recording as "the table of conditions", which HH marked as Exhibit 9. Listening to the recording (at approximately 10.38am) Ms Hedge for the Respondent in tendering the document indicates it is a copy of the attachment to the affidavit.

I have compared Exhibit 9 to Document 1 attached to the affidavit at Court Document 49. Both documents are entitled "Conditions contended by Respondent". I can confirm the contents of both documents match.

In answer to your question, Court Document 49 as a whole was not tendered as an exhibit. However, the document (table) tendered and admitted as Exhibit 9 matches Document 1 attached to the affidavit at Court Document 49.

I trust this information is of value.

Regards

QUEENSLAND COURTS

Steve Adams
ADR Registrar (Planning and Environment Court)
Queensland Courts – Supreme, District and Land Courts Service
Department of Justice
QEII Courts of Law, 415 George Street, Brisbane Qld 4000
P: 3738 7998 **M:** 0402 766 235
E: steven.adams@justice.qld.gov.au
E: PE.Registrar@justice.qld.gov.au

On the opening day of the trial, 28/4/25, Susan Hedge produced a table of conditions, of which Judge Williamson KC marked as exhibit 8. Cr Adams seems to think it was exhibit 9.

This table of conditions was a new position statement by Council that was totally different from the Council position, only 10 hearing minutes earlier, on 24/4/25, being as of 31-1-25.

Index

Susan Hedge stated to Judge Williamson KC “the affidavit’s not necessary”

Telling a judge that an “affidavit’s not necessary” is alleged contempt of court, both being that of a lie, and also “in the face” of a judge.

The affidavit was not presented to Judge Williamson KC. Susan Hedge hid the affidavit.

It is alleged that Susan Hedge played the game and intentionally hid the affidavit, which was filed on 24-4-25.

Susan Hedge refused to advise Judge Williamson KC that the affidavit was filed.

The registrar has confirmed to Manteit as per letter above, that the affidavit 49 was not tabled to the Court, by Susan Hedge.

The motive?

It is alleged that Cr Schrinner, Dr Freeman and Council deliberately instructed Susan Hedge n**ot to table Document 49 to Judge Williamson KC on the opening day of the trial, in an attempt to hide Contempt of Court by Susan Hedge.**

30-4-24. Hedge - "And so rather than having that dispute in this trial, we've removed the red line..... "

Susan Hedge

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction.

Index

35. Court Hearing 12-12-24

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge and all the Respondents, of an act of omission to deceive the Court on 12-12-24, since they **did not remove the Upstream Drainage red lines** as shown on the DA approved plan, at the Hearing, of 12-12-24, since the Upstream Drainage red lines were removed by the Respondents 5 minutes into the trial, on 28-4-25 by Susan Hedge, some 7 months later.

2. It is a criminal contempt by Susan Hedge and all of the Respondents, of an act of omission, to deceive the Court on 12-2-24 Court to deceive the Court on 12-12-24, by all the Respondents that Schrinner Council **did not remove the Onsite Drainage red lines** as shown on the DA approved plan, at the hearing, of 12-12-24, since the Onsite Drainage red lines were removed by Susan Hedge, 5 minutes into the trial , some 7 months later.

3. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission, that **condition 18** was not changed in relation to the reference “red lines as generally shown on the plan” on 12-12-24, but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.

4. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission, that **condition 17** was not changed in relation to the reference “red lines as shown on the plan”, but was tabled 5 minutes into the hearing on 24-4-25 by Susan Hedge.

5. It is a criminal contempt of Court to deceive the Court by all the Respondents, by an act of omission. that a requirement for submission and approval by Council of engineering drawings prior to construction of the Upstream Drainage pipes as described in Condition 18, was not changed at the hearing on 12-12-24.

Background

Manteit sent extensive correspondence of 13 letters and 108 pages to Council employees, Lord Mayor, with no response by them, totaling 108 pages, prior to the Notice of Appeal, 19/11/24, stating to them that the Council employee engineered Upstream Drainage pipes were flooded 1.2m under the Ashridge Rd kerb.

There had been extensive flood warnings provided in those letters by Manteit, but the corrupt Council employees (as alleged by the Crime and Corruption Commission) and Lord Mayor Cr Schrinner refused to respond to Manteit.

If there had been a response by the employees and Cr Schrinner, the case there would have not been any court case and/or delay by 7 months.

Susan Hedge and Council knew by 2/9/24 and at the latest letter of 1/10/24 or 11/10/24 that the Upstream Drainage pipes flooded 1.2m under the Ashridge Rd kerb.

Index

Letter to corrupt Council employees 1/10/14, Court doc 73, filed 14-1-26

27 questions regarding Council easement document

I request BCC provide the answers by 12pm, tomorrow, 2-10-24

Time is of the essence , as per the Planning Act 2016, and the Planning and Environment Court.

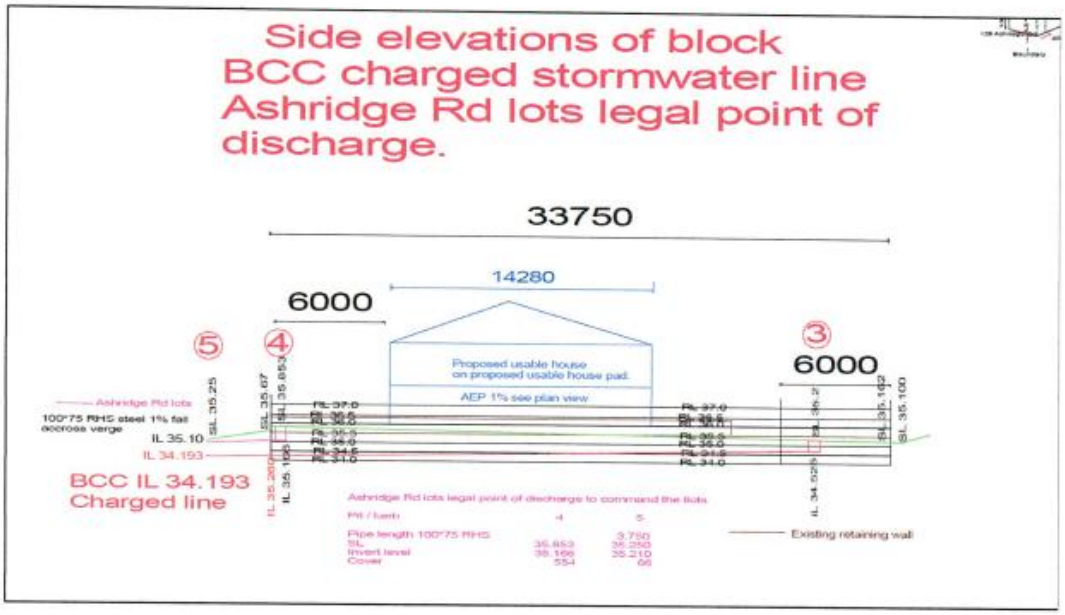
Easement document.

1) Please provide proposed **surface levels and invert levels** of the 225mm stormwater pipe.

2) Please provide **cover distance above, below, left and right** of the 225 stormwater pipe. Note any requirements below that may affect this cover d
distance.

Letter to Council employees 11/10/24. "BCC CHARGED LINE"

Page **5** of **23**



Index

Table of letters sent by Manteit requesting Council and Council employee engineering information in relation to Council engineered source documents, Manteit statements of Council flooding, Manteit request for easements. No response.

Date	Crt doc	Correspondence	No. pages	Outcome
1/10/24	73	Letter to Orr,Piper, Gibbs, Ruhland, Ting.	5 pages	No response
4/10/24	73	Letter to Orr, Piper, Ruhland, Gibbs, Ting.	8 pages	No response
10/10/24	73	Letter to Paul, City Legal,Ting, Piper,	23 pages	No response
11/10/24	73	Letter to Paul, City Legal, Orr, Ting, Ruhland, Gibbs	6 pages	No response
14/10/24	74	Letter to Orr, Piper, Ruhland, Wake,Ting, Gibs, City Legal	30 pages	No response
21/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City Legal, Wake, Gibbs, Ruhland, Orr	4 pages	No response
21/10/24	74	Letter to City Legal, Orr, Gibbs, Piper, Wake, Ruhland	5 pages	No response
22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
24/10/24 Letter of 22/10/24	74	Letter to **Lord Mayor**, Ting, Wake, Piper, Gibbs	5 pages	No response
25/10/24	74	Stat dec to **Lord Mayor**, Sara McCabe, Orr, Wake, Piper, Ruhland, Gibbs	4 pages	No response
25/10/24	74	Letter to **Lord Mayor**, Sara McCabe, City legal, Orr, Wake, Piper, Ruhland, Ting, Gibbs	7 pages	No response
11/11/24	74	Letter to City Legal, Wake	3 pages	No response
12/11/24	74	Letter to Sara McCabe, City Legal, Wake, Piper, Gibbs, Ruhland, Ting, Orr	3 pages	No response
Total			**108 pages**	**No response**

It is alleged that Cr Schrinner knew of the Council employee corruption since 2/9/24 when Ting emailed 12 Council employees to state that the Upstream Drainage plan was accurate.

Index

36. Susan Hedge requirement for the stormwater pipe "going straight through the middle of the lot."

1. It is a criminal Contempt of Court by **Susan Hedge** by incite the owner to break Council laws, Planning Act laws and Planning Court precedence.

- S164 of the Planning Act 2016 $751,000 fine
- BSD 81111

Precedent Henderson V Brisbane City Council 4139/18, by stating to His Honour on 30-4-25 -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

2. It is a criminal contempt of Court by **Susan Hedge** to have attempted to deceive the Court on 30-4-25 by stating to His Honour -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

3. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to attempt to **prevent the owner from building a house on their block**, if a stormwater pipe is placed directly under the house, by stating to His Honour on 30-4-25 -

"Our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance through the middle of the lot rather than the edge would have been generally in accordance"

4. It is criminal contempt of Court by Susan Hedge, on 30-4-25 to attempt to block the owner from installing services to the block, thereby preventing the owner from subdividing the block due to the constraints of the Council standard easement document.

5. It is a criminal contempt of Court by Susan Hedge to be in conflict with her own evidence of Corrigan report which she supported on the same day that no engineer would allow a stormwater pipe to go under the slab.

6. It is Contempt of Court by Susan Hedge to have **two different Council positions on the same day.**

Background

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

On 30-4-25 at the trial, Susan Hedge stated -

Statement by Susan Hedge ***- "our position is that many many stormwater options including going straight through the middle of the lot rather than around the edge would have been generally in accordance"***

Susan Hedge - "Going straight through the middle of the lot"

Going through the middle of the lot would mean contravening BSD 8111, which requires the Upstream pipe to be 600mm from the boundary, as demonstrated in Henderson V Brisbane City Council 4139/18.

Going through the middle of the lot includes an easement though the middle of the lot. Therefore Susan Hedge promoted -

- Causing the **building of a house or any other structure impossible**
- **Blocking off all services to the lot**
- The Council easement precludes any building above or below the easement.
- The Council easement requires that there must be a space beside the easement for maintenance.
- This is a totally preposterous statement only a child would make.

Judge Williamson KC –

Index

Judge Williamson KC **30-4-25 JW comments about the Upstream red lines**

And then during the appeal, the council has taken a step back from that and said rather than, us tell you what the solution looks like, here is a condition that allows you to demonstrate whatever option you like achieves compliance with the planning scheme in circumstances where we will say to the court that you can be satisfied there is a solution, it's just a matter of detail.

Susan Hedge

That is true but could I add this that the council's position is that the removal of the red line really had no effect because what was required by the condition was to be generally in accordance with the plan which had the red line on and then the red lines indicated to be indicative so our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance with because of the purpose of the condition and the line, taking them together, is to provide upslope drainage connections.

So where the pipe runs isn't really the point.

The point is to provide the upslope connections if they're provided with a pipe that runs in a different line.

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction. So, but it's not accepted by the Council that the red line was inappropriately put on the plan or any of those aspects.

Judge Williamson KC

Sorry, I'm not suggesting it, but I have to say, I'm not sure it's as fluid.

It has fluidity, but I'm not sure the red line, by calling it indicative and generally in accordance, in effect opened the door to a whole array of solutions.

And the reason I say that is because generally in accordance with would be assessed by reference to the consequences of the change.

And the consequences of the change made it more difficult for easements, and the like. That would be a reason why a solution, even though it worked, would not be generally in accordance with the indicative line shown on the plan.

I don't think it's as easy as saying, look, this is one way, but if you don't do that, there's many other ways.

Because as soon as a line is drawn on a plan and generally in accordance with, unless there's something in the condition that makes it very clear, and I don't think indicative in and of itself gives much more than generally in accordance with.

There's some flexibility, but it's not open slather.

Susan Hedge

I accept that.

His Honour Judge Williamson KC –

Index

"I'm not sure the red line, by calling it indicative and generally in accordance, in effect opened the door to a whole array of solutions"

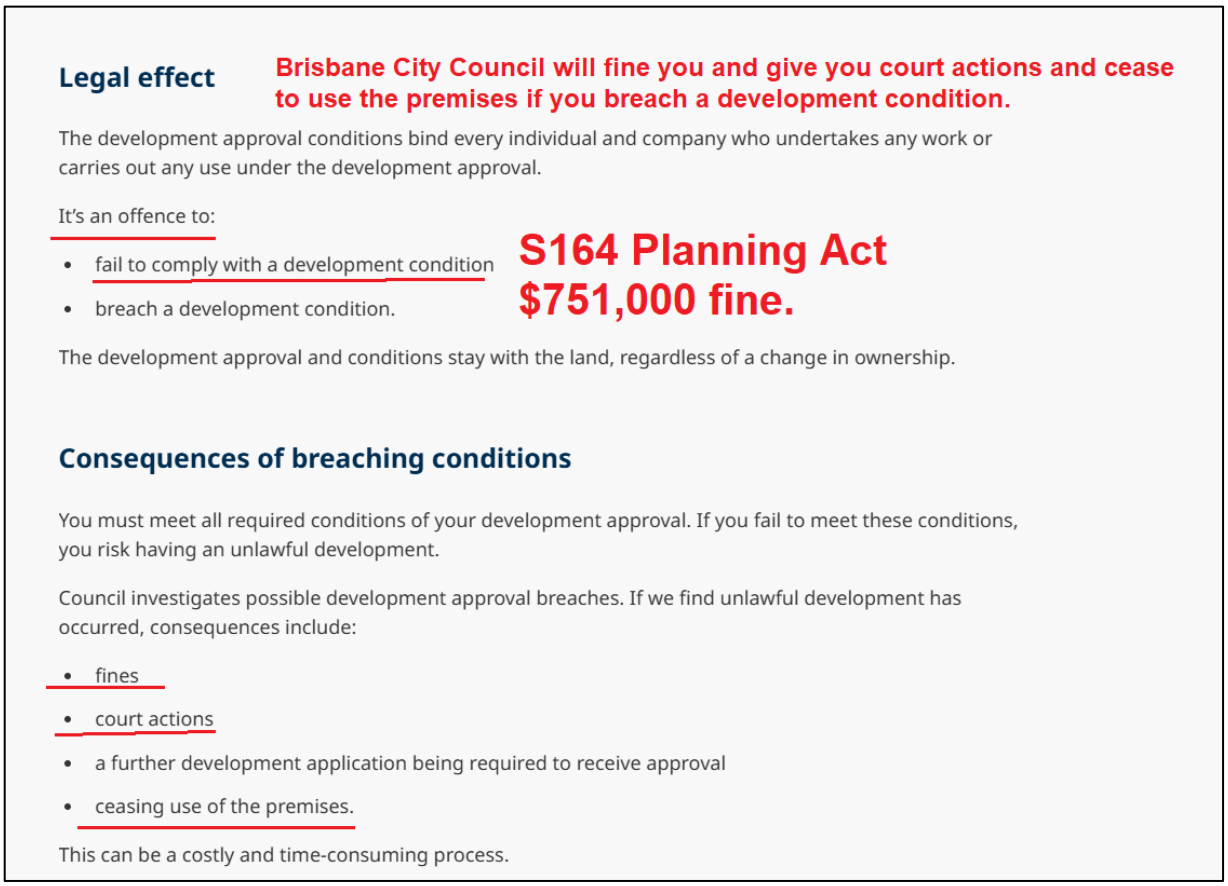
"And the reason I say that is because generally in accordance would be assessed by references to the consequences of the change"

"And the consequences of the change made it more difficult for easements, and the like"

That would be a reason why a solution, even though it worked, would not be generally in accordance with the indicative line shown on the plan.

"Because as soon as a line is drawn on a plan and generally in accordance with, unless there's something in the condition that makes it very clear, and I don't think indicative in red and of itself gives much more than generally in accordance with.

There's some flexibility, but its not open slather"



Legal effect

Brisbane City Council will fine you and give you court actions and cease to use the premises if you breach a development condition.

The development approval conditions bind every individual and company who undertakes any work or carries out any use under the development approval.

It's an offence to:

- fail to comply with a development condition
- breach a development condition.

S164 Planning Act
$751,000 fine.

The development approval and conditions stay with the land, regardless of a change in ownership.

Consequences of breaching conditions

You must meet all required conditions of your development approval. If you fail to meet these conditions, you risk having an unlawful development.

Council investigates possible development approval breaches. If we find unlawful development has occurred, consequences include:

- fines
- court actions
- a further development application being required to receive approval
- ceasing use of the premises.

This can be a costly and time-consuming process.

Index

37. Forcing of witnesses by Susan Hedge to change their witness statement re timing of the engineer submissions on day of trial.

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge to force **witness Corrigan** on 29-4-25 to change his report in relation to timing of engineering submission for approval, to that of his previous report dated 22-4-25.

2. It is a criminal contempt of Court by Susan Hedge to force **witness Ryan** on 29-4-25 to change his report in relation to timing of engineering submission for approval, to that of his previous report dated 22-4-25.

5.11. I defer to the opinion of Mr Ryan that no further operational works permit will be required for the Applicant to install a stormwater solution required by the conditions of development approval. In my experience, the further approval that will be needed is a building permit from a private certifier. There is no later opportunity for Council to review detailed design of the stormwater system. Hence, in my experience, an appropriately detailed stormwater master plan is submitted at the DA stage which has sufficient design detail to demonstrate compliance of the stormwater drainage for the proposed development. At the time of the later assessment, the private certifier will check compliance of plans for the building permit with the scope of stormwater defined in the DA.

Corrigan 22-4-25

Corrigan statement

Corrigan, 22-4-25 - "There is no later opportunity for Council to review detailed design of the stormwater system"

This is a correct statement by Corrigan.

Index

Corrigan report

8.10. I consider that condition 18 is an appropriate response to the City Plan provisions above in paragraph 8.8 because it provides for the connection required for the future development of the upstream lots.

Corrigan made his statement signed on 22-4-25 that Condition 18 is an appropriate response to the City Plan.

On 28-4-25, Susan Hedge, in Court, forced Corrigan to make a different statement to Judge Williamson KC.

Susan Hedge

And is your view that that timing for 18b that is the implementation of the certified stormwater drawings that occur prior to council's notation on the plan of subdivision and after the approval of the drawings. Is that a reasonable response to the planning scheme provisions that are relevant?

Corrigan

Yes, I think it's a reasonable response. I think it adds, the addition adds some clarity to ensure that the approval is obtained prior to those works being carried out.

28-4-25 Susan Hedge to Corrigan – "and is your view that timing for 18b that is the implementation of the certified stormwater drawings that occur prior to council's notation on the plan of subdivision and after the approval of the drawings, is that a reasonable response to the planning scheme provisions that are relevant?"

It was relevant to Corrigan on 28-4-25 but not relevant on 22-4-25, when he did his report.

Dr Freeman, Cr Schrinner (allegedly) and Susan Hedge had forced Corrigan into changing his position.

Index

Susan Hedge tried desperately to fix up her and **Dr Freeman** and **Cr Schrinner** mistake.

Ryan - 22-4-25

(b) Condition 18(a) requires stormwater drawings and engineering calculations, to be prepared and certified by an RPEQ in accordance with the relevant Brisbane Planning Scheme Codes, prior to works commencing.

(c) Condition 18(c) requires 'As Constructed' drawings prepared and certified by a Registered Professional Engineer Queensland or a Queensland Building and Construction Commission licensed hydraulic consultant (where applicable) to be submitted to Council, prior to Council's notation on the plan of subdivision.

Ryan 22-4-25

5.12 In my opinion Condition 18 appropriately fulfils the planning purpose and requirement of the assessment benchmarks identified above, to provide a stormwater connection for upstream lots. Condition 7 appropriately fulfills the planning purpose of ensuring there is access available to those connections for upstream owners.

Index

29-4-25 Ryan mistakes

Susan Hedge

You've prepared an affidavit in this proceeding which is dated the 22nd of April 2025, is that correct?

Ryan

That's correct.

Susan Hedge

It's become Exhibit 7. Your CV appears at page 24 of that 2.5?

Ryan

Yes.

Susan Hedge

Okay. You have two corrections to that as I understand it. Yes, please. The first on page 7.

Ryan

Yes.

Susan Hedge

In paragraph 2.5e

Ryan

Yes in the first line after the words in each of the examples above, comma, I would insert the word council, so it would read in each of the examples above, council would be confident.

Susan Hedge

Thank you. And is there a second correction on page 19?

Ryan

That's correct.

Susan Hedge

Subparagraph J, which is right at the top of the page, and what's the

Ryan

Thank you. The correction is it currently says Stormwater Code Performance Outcome AO1. That should read Stormwater Code Acceptable Outcome AO1.

Susan Hedge

Thank you. Are there any other corrections?

Index

29-4-25

Ryan

Those are the corrections, thank you.

Susan Hedge

Your affidavit and report corrected as we have this morning. Are the facts stated in that report correct to the best of your knowledge and knowledge?

Ryan

Yes, they are.

Susan Hedge

I was now going to act on your Honour's leave yesterday to ask about the amended conditions. Do you have a copy of the table, Mr Ryan, which is Exhibit 9, called Conditions Contended by Respondent?

Ryan

Yes, I do.

Susan Hedge

Can I ask you to turn to page 11?

And you understand the left-hand side is the decision notice condition and the right-hand side is what the council's contending in the trial?

Ryan

Hedge -"Counci's contending in the trial"

Yes.

Susan Hedge

On page 11, in the middle of the page, you see the underlined section which requires that the stormwater drawings and engineering calculations that are certified by Registered Professional Engineering Queensland in accordance with the relevant Brisbane Planning Scheme codes be submitted to council for approval?

Ryan

Yes I see that.

Susan Hedge

Yes it is.

Index

29-4-25

Ryan

I think in this case condition 18 is dealing with upstream stormwater drainage. It requires, as is commonly the case, a detailed design to be prepared.

And I think in instances where it deals with stormwater and other properties and potential impacts on downstream properties, I think it's reasonable that Council would review that detailed design before it's implemented.

Susan Hedge

Review and approve?

Ryan

Review and approve, that's right.

Susan Hedge

Thank you. Turning to page 12, and yesterday I think you were in court when I indicated that the underlying sections right at the top of the page in timing for 18A should actually be in the timing of 18B.

Ryan

Yes. Do you remember that? I do remember that.

Susan Hedge

Alright. And is your view that that timing for 18b that is the implementation of the certified stormwater drawings that occur prior to council's notation on the plan of subdivision and after the approval of the drawings.

Is that a reasonable response to the planning scheme provisions that are relevant?

Ryan

Yes, I think it's a reasonable response. I think it adds, the addition adds some clarity to ensure that the approval is obtained prior to those works being carried out.

Susan Hedge

Thank you.

Index

38. Offences committed by Manteit RPEQ engineer and plumber if the Council Upstream drainage pipes were designed by the RPEQ or built by Manteit.

Alleged Contempt of Court

1. It is a criminal contempt of Court by the Respondents to force Manteit RPEQ to design the DA approved Upstream Drainage pipe that is flooded by 1.2m under the Ashridge Rd kerb and >76 L.s pipe velocity, as stated by -

- Corrigan report 22-4-25
- Civil Works report 31-3-24
- Susan Hedge stated “it doesn’t work” on 28-4-25

Because Manteit RPEQ would have been charged with Unsatisfactory Professional Conduct and lose his licence for life and receive a jail sentence.

2. It is a criminal contempt of court by the Respondents to force my RPEQ engineer to design the Upstream Drainage pipes since would have caused nuisance flooding to Darr residents, as described in his report 31-3-25 and cause loss of life to Darra residents

3. It is a criminal contempt of Court by the Respondents to **force my Plumber to construct** the Upstream Drainage pipes since they were flooded 1.2m under Ashridge Rd.

4. It is a criminal contempt of Court by the Respondents to **force my Plumber to construct** the Upstream Drainage pipes since they were flooded 1.2m under Ashridge Rd and would cause loss of life to Darra residents.

Should my RPEQ have designed a pipe in a different location, the RPEQ would have received a **fine of $164,000 under S164 of the Planning Act, being engineering classed as building work.**

5. Should my RPEQ have built a pipe in a different location, he would have received a **fine of $164,000 under S164 of the Planning Act, being engineering classed as building work.**

Background of this section

1. Schrinner Council, Cr Schrinner and Dr Freeman intentionally instructed Council employees to design a flooded draft RTI plan and a final DA approved Upstream Drainage plan, dated 25/9/24.

2. Schrinner Council, Cr Schrinner and Dr Freeman knew full well that **no RPEQ engineer** could ever design the DA approved Upstream Drainage Plan without going to jail, due to being flooded.

3. Schrinner Council, Cr Schrinner and Dr Freeman refused to inform the court for 8 months that the DA approved Upstream Drainage pipes were in fact **flooded**, 1.2m under Ashridge Rd kerb and >76 L/s pipe velocity.

Index

4. Schrinner Council, Cr Schrinner and Feeman knew that the DA approved Upstream Drainage pipe was flooded at the draft stage, 12/7/24 to 25/9/24, but refused to stop the pipe from being approved, causing Manteit $750,000 in damages, as indicated, due to the corrupt Council employees designing the flooded pipe.

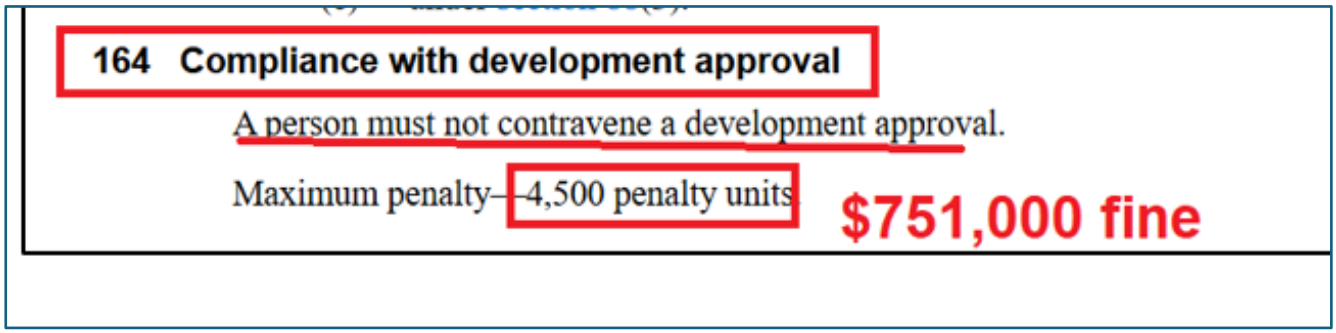
5. Cr Schrinner and Dr Freeman knew that the unlicenced Council employee non-RPEQ certified DA approved Upstream Drainage pipe was flooded, but attempted to hide that fact to a judge of the Planning Court for as long as they could, in order to protect the interests of the unlicenced Council employees and ultimately their reputation and their job.

6. Cr Schrinner and Dr Freeman knew they were wasting the resources of the ratepayer, the Honourable judge, Council staff, Manteit and Court staff for 8 months.

Schrinner Council, Cr Schrinner and Dr Freeman knew that no RPEQ engineer could never design the DA approved Upstream Drainage plan without losing his licence and going to jail.

What would happen if Manteit RPEQ engineer designed to the Council Upstream Drainage red lines?

S164 of the Planning Act 2016. "A person must not contravene a development approval"



6. Manteit RPEQ engineer would incur a fine of $751,000, issued by Council, the issuing authority for a Planning Act fine if he designed the Upstream Drainage red line, anywhere outside the illegal unlicenced Council employee Upstream Drainage red line.

1. Law broken by applicant engineer - Schedule 2 of the Professional Engineers Act 2002. Unsatisfactory professional conduct, that of a registered professional engineer.

2. Manteit RPEQ engineer would lose his licence for designing to the DA approved non-RPEQ Upstream Drainage red lines, and conditions, which are illegal since the pipes would be –

- flooded by 1.2m under the Ashridge Rd kerb

Index

- over 76L/s in discharge velocity at the kerb

2. Manteit RPEQ would have been charged by the Board of Professional Engineers Qld for unsatisfactory professional Conduct, of a registered professional engineer.

3. Manteit RPEQ would have to go to jail if the Court deemed the engineering was that bad.

4. Manteit RPEQ would not be charged by Council for complying with the DA approval.

What would happen if Manteit RPEQ engineer designed to another design? the Council laws

There is no other design that complies with Brisbane City Council codes, Brisbane City Council Planning Scheme Policies and Newton's laws of gravity.

7. As His Honour Judge Williamson Kc stated it would not be generally in accordance with the red line, even if it worked.

JUDGE WILLIAMSON

That's not the condition I have in mind. There's another condition which talks about, I thought, a submission of an engineering plan, but that's...

SUSAN HEDGE

17, which is the on-site drainage.

SUSAN HEDGE

Also just requires the submission of the as-constructed drawings. And could I just indicate the timing of the submission is prior to Council's notation on the plan of subdivision?

JUDGE WILLIAMSON

Yeah, prior to sealing, yeah.

24-4-25 Susan Hedge to Judge Williamson KC

"Condition 17 and 18 - RPEQ drawings are required after construction of pipes."

"The Council's position is that no other approval is required"

My witness Ryan says so in his report.

Susan Hedge woke up on 28/4/25, ten hearing minutes later.

Susan Hedge - "Council's position is that RPEQ drawings are required prior to construction

Index

"Susan Hedge forced two witnesses to change their recommendation of the new condition to RPEQ drawings required before construction."

This is admittance by Susan Hedge, Dr Freeman and Cr Schrinner that Manteit had no way to present or even talk to Council about a solution since any change to the DA required an application to Court.

Council never asked Manteit to file any changes to red lines. There was no way, that would not incur a fine of $751,000 and possible imprisonment.

SUSAN HEDGE

24-4-25

I'll just have to confirm that. I thought it was more in the matter of the system had to be designed by an RPEQ here, but not necessarily that Council had to approve it.

JUDGE WILLIAMSON

But that's why I thought approval was required, because the Council gets the opportunity to ensure that the system that is adopted or designed meets the condition. And that must happen before siteowrks commence.

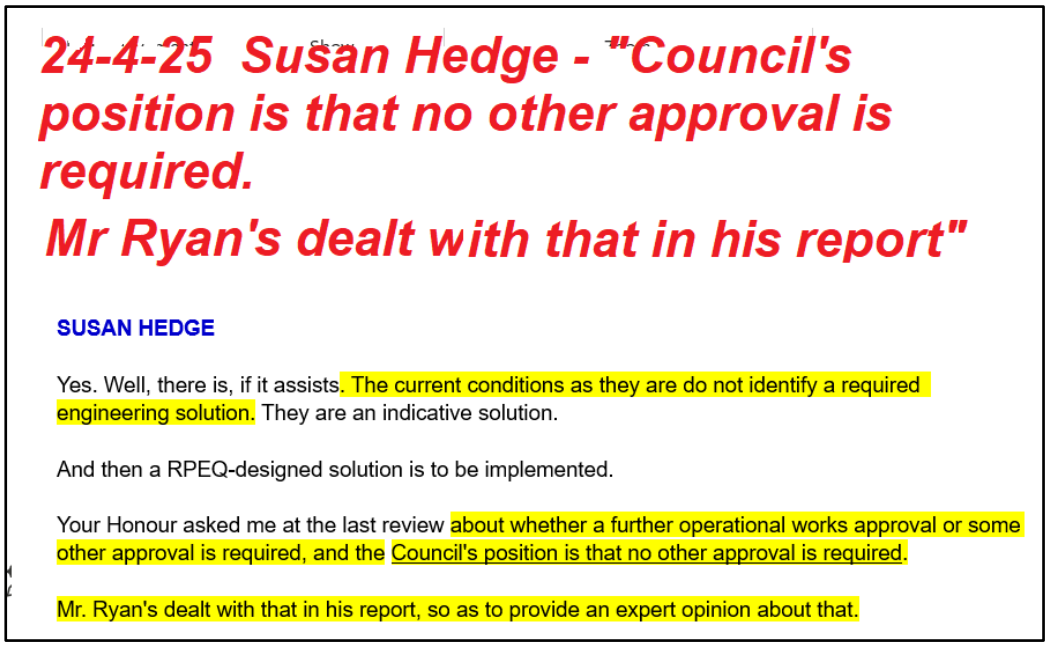
JUDGE WILLIAMSON

Yeah, sure, of course. If I've got that wrong, I've got it wrong.

SUSAN HEDGE

Yes. So Condition 18, which is the upstream connection condition, which seems to be the one most in debate, the main condition is to provide a stormwater drainage connection for certain upstream lots. And then the sub-conditions are: I'm just giving you the short version, prepare stormwater drawings, which have to be certified by an RPEQ. Then implement those certified stormwater drawings is 18B. And then 18C is submit as constructed drawings to the council. And the timing of that, I'm sorry.

Index



24-4-25 Susan Hedge - "Council's position is that no other approval is required.
Mr Ryan's dealt with that in his report"

SUSAN HEDGE

Yes. Well, there is, if it assists. The current conditions as they are do not identify a required engineering solution. They are an indicative solution.

And then a RPEQ-designed solution is to be implemented.

Your Honour asked me at the last review about whether a further operational works approval or some other approval is required, and the Council's position is that no other approval is required.

Mr. Ryan's dealt with that in his report, so as to provide an expert opinion about that.

24-4-25 Susan Hedge – "about whether a further operational operational works approval or some other approval is required and the Council's position is that

no other approval is required"

"Cr Ryan's dealt with that in his report, so as to provide an expert opinion about that."

This is yet another Susan Hedge lie.

Ten hearing minutes later……..

Index

Could I make an amendment though to our conditions which is on page 12. 28-4-25

Judge Williamson KC

Yes.

Susan Hedge 'the timing for 18A"

Your Honour, we'll see timing right at the top of the page and that's the timing for 18A.

Judge Williamson KC

Yes.

Susan Hedge Hedge - "that's just by error there"

And the part that's underlined, which reads, and after approval is obtained from council about stormwater drawings, that's just by error there. That inclusion should be in 18B, because 18A is about obtaining approval.

Judge Williamson KC

Ah right

Susan Hedge Hedge - "it doesn't make sense

And so it doesn't make sense to obtain approval after you've obtained approval. So, in 18B, it should say timing prior to Council's notation on the plan of subdivision and after approval is obtained from Council about the stormwater drawings.

28-4-25 Hedge - "*This is a significant issue in this case"*

Judge Williamson KC

Right. So, that part of the note is deleted from 18A and removed to 18B

Susan Hedge

Yes, thank you. In 18B, under timing, there's actually two sentences that say the same thing. So, the second of those can be struck through.

Susan Hedge Hedge - "*This is a significant issue in this case"*

That is an issue, a significant issue in the c

Judge Williamson KC

Yes Judge Williamson KC - "Yes"

28-4-25 Susan Hedge – “And so it doesn’t make sense”

“It should say timing ……..after approval is obtained from Council about the stormwater drawings”

Susan Hedge – “This is a significant issue in this case”

His Honour Judge Williamson KC

“Yes”

This Susan Hedge statement on 24-4-25 is contempt of court by Susan Hedge, Council, Cr

Index

Schrinner and Dr Freeman, by an act of omission for 7 months.

Susan Hedge

That is an issue, a significant issue in the c

Judge Williamson KC

Yes

Hedge - "*This is a significant issue in this case*"

Judge Williamson KC - "Yes"

Susan Hedge was correct about being a significant issue. Judge Williamson KC said yes. Its also contempt of court to lie to a judge on 24-4-25, when on that day, it was not a significant issue of the case.

Judge Williamson KC **30-4-25 JW comments about the Upstream red lines**

And then during the appeal, the council has taken a step back from that and said rather than, us tell you what the solution looks like, here is a condition that allows you to demonstrate whatever option you like achieves compliance with the planning scheme in circumstances where we will say to the court that you can be satisfied there is a solution, it's just a matter of detail.

Susan Hedge

That is true but could I add this that the council's position is that the removal of the red line really had no effect because what was required by the condition was to be generally in accordance with the plan which had the red line on and then the red lines indicated to be indicative so our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance with because of the purpose of the condition and the line, taking them together, is to provide upslope drainage connections.

So where the pipe runs isn't really the point.

The point is to provide the upslope connections if they're provided with a pipe that runs in a different line.

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction. So, but it's not accepted by the Council that the red line was inappropriately put on the plan or any of those aspects.

Judge Williamson KC

Sorry, I'm not suggesting it, but I have to say, I'm not sure it's as fluid.

It has fluidity, but I'm not sure the red line, by calling it indicative and generally in accordance, in effect opened the door to a whole array of solutions.

And the reason I say that is because generally in accordance with would be assessed by reference to the consequences of the change.

And the consequences of the change made it more difficult for easements, and the like. That would be a reason why a solution, even though it worked, would not be generally in accordance with the indicative line shown on the plan.

I don't think it's as easy as saying, look, this is one way, but if you don't do that, there's many other ways.

Because as soon as a line is drawn on a plan and generally in accordance with, unless there's something in the condition that makes it very clear, and I don't think indicative in and of itself gives much more than generally in accordance with.

There's some flexibility, but it's not open slather.

Susan Hedge

I accept that.

Index

SOUTH GELDARD LAWYERS

"Failure to comply with the conditions of a DA ….draws a a maxium offence of 4,500 penalty units = more than $600,000 (2001)

A DA attaches to the premises and binds the owner, the owner's successors in title and any occupier of the premises. It remains in effect even if there is a later development approved for the lot or the premises are reconfigured.

Failure to comply with the conditions of a DA is classed as a 'development offence' under the Act and draws a maximum penalty of 4,500 penalty units (with the value of one penalty unit for most offences under state legislation being $133.45 as at 1 July 2020), or more than $600,000.

The enforcement authority, such as the local council, must provide a 'show cause' notice under section 167 of the Act. This notice is issued if the enforcement authority reasonably believes a person has committed, or is committing, a development offence; and is considering giving an enforcement notice for the offence to the person.

Enforcement notices

If the enforcement authority believes a person has committed, or is committing, a development offence such as not complying with the conditions of the DA, it may serve an enforcement notice to the person or, if the offence involves premises and the person is not the owner of the premises, the owner of the premises.

The enforcement notice will require a person to refrain from committing a development offence and/or remedy the effect of a development offence in a stated way and within a specific time frame.

The notice may require, for example, the development be stopped, demolished or removed; the premises be restored, as far as practicable, to the condition it was in immediately before development was started; and to do, or not to do, another act to ensure development complies with a development permit.

A person or owner may also be asked to repair, rectify or secure the works if they are considered dangerous; stop a stated use of premises; ask the person or owner to apply for a development permit, and; provide the enforcement authority with a compliance program that show how the enforcement notice will be complied with.

Among other requirements as to the time frame in which the notice must be complied with, it should also inform the person or owner of their right to appeal against the giving of the notice. Contravening an enforcement notice carries a maximum penalty of 4,500 penalty units.

Index

Generally in Accordance - South and Geldard Lawyers

A change to the illegal flooded red lines and conditions of the DA approved Upstream Drainage plans dated 25/9/24 to make them lawful **would not be "generally in accordance".**

Schrinner Council advices Brisbane residents, online, of his own website -

Brisbane City Plan 2014
Interpretation guidance 01/2021

What is Generally In Accordance (GIA)?

Generally In Accordance (GIA) advice is a non-binding expression of an opinion from an appropriately qualified person that an inconsequential alteration or amendment to a development is considered to be in accordance with the requirements of an approval. GIA is not recognised by planning legislation and does not replace any aspect of the approval.

This Interpretation guidance is intended to assist in clarifying if an alteration to the development might be GIA or would require a change request application under the planning legislation; and where necessary, how to seek Council's written advice on GIA.

Background

Development that is approved by Council requires that development to be constructed 'In Accordance' with the approved plans, documents, and conditions. In many circumstances following an approval, alternations to the development may occur as the result of detailed design, improved construction methods or site-specific circumstances.

Section 77 of the *Planning Act 2016* (the Act) recognises changes to a development and provides pathways to amend the approval (refer to the Act for information related to 'minor change' or 'other changes'). However, small variations from the approved plans may not require a change application. In these situations, a GIA opinion from an appropriately qualified individual/organisation may be sufficient to demonstrate a development is in accordance with the approval.

What is not a GIA?

Any alteration that requires a Development Condition to be changed.

Any alteration that requires specialist assessment such as an engineering traffic consultant.

An alteration that does not meet an Acceptable Outcome assessment benchmark and requires consideration against a Performance Outcome assessment benchmark where the Acceptable Outcome was met at the time of the approval or where the alteration exacerbates an approved Performance Outcome. E.g. Reducing an approved building setback from 2.4 m to 2.3m when the acceptable outcome was 3.0m.

Integral component of a Development being added or removed. E.g. Deep planting being removed.

A change that would trigger the re-calculation of Infrastructure Charges. E.g. Changing 2-bedroom units into 3-bedroom units within a multiple dwelling complex, even when the building footprint and GFA are not changed.

A change that alters the number of bedrooms in a multiple dwelling complex E.g. Making a 1-bedroom unit into a 2-bedroom unit [operational impacts].

Adding a balcony or enclosing a balcony to a multiple dwelling. The variation may affect the visual appearance of the building and generate overlooking/privacy concerns or reduce access to private open space.

Any amendments to parking layouts, including changing from single to tandem parking bays.

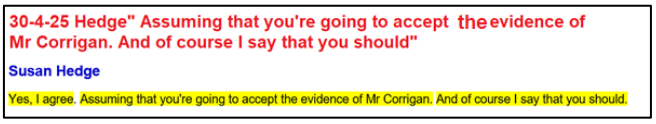
Significant changes to the visual appearance of the development. E.g. Changes to roof forms.

Index

39. Corrigan report and witness statement.

Alleged Contempt of Court

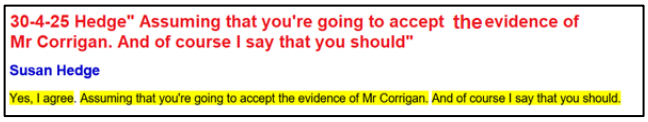
1. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state she accepts the Corrigan evidence and therefore incite the owner to construct two illegal flooded Upstream Drainage stormwater plans as stated in the Corrigan report and in the witness stand, that would cause nuisance flooding of around 410,000 L/s to the residents of Darra and possible loss of life.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

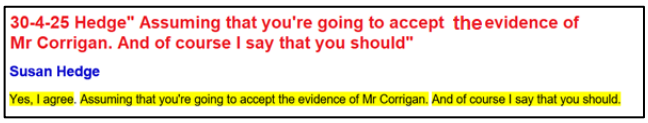
2. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state that she accepts the Corrigan evidence and therefore incite the owner to construct one of two further Corrigan illegal flooded Upstream Drainage stormwater plans, as stated by Corrigan in the witness stand during the trial, which would cause nuisance flooding to the residents of Darra and possible loss of life.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

3. It is a criminal contempt of Court by Susan Hedge, on 30-4-25 to state that she accept the Corrigan evidence in court on 30-4-25, by inciting the owner to incite Manteit to break Council and other laws, as a result of including -

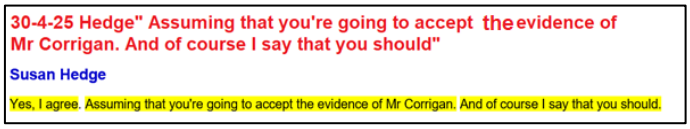

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- PSP 7.6.3.1(2) being >30L/s at the kerb for the entire development including external catchment
- Breaking of BSD 8113 >30 L/s at the kerb for the entire development including external catchment
- BSD 8111 min .5% fall not achieved
- Newtons law of gravity – flooded.
- PSP 7.6.1 (1) – nuisance flooding and loss of life.

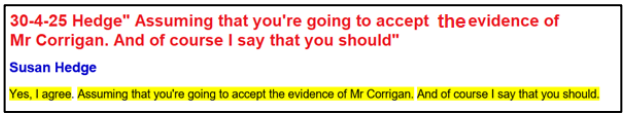
4. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and then inciting the owner to construct Upstream Drainage pipes in contravention of **Newton's law of gravity, that will flood the residents of Darra, and cause loss of life.**


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

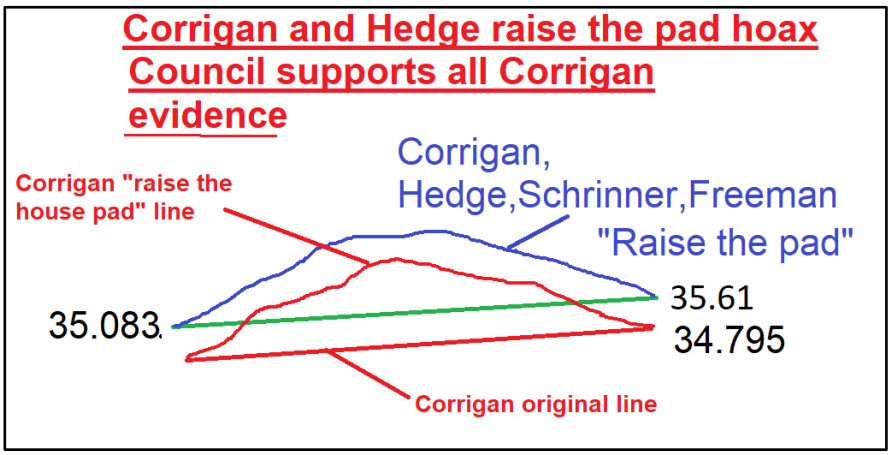
5. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and then by proposing that the Respondents could **fix the Corrigan report flooded pipes by raising Manteit's pad level by 790mm in the middle of the land, which does not work due to the kerb and the rear neighbour's surface level and invert level are fixed an cannot be raised or lowered.**


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index



Manteit depiction of Corrigan and Susan Hedge fantasy of raising the pipe in the middle to fix Corrigan's flooded pipes from his report dated 22-4-25.

6. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by inciting trespass of **neighbours's properties to fill their land**, to make good, and achieve compliance with pipes that are charged by 790mm.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

7. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court in the trial to deceive the Court by **using a garden pathway to fix their flooded plans by 790mm.**

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

8. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by accepting Corrigan's claim that **'a lot of problems would be solved by placing a pipe straight across Lot 97**, of which an easement which would block services to the land, construction of any structure, as His Honour stated to Susan Hedge on 30-4-25.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

9. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to incite the breaking of Council laws -

- BSD 8113, being >30 L/s at the kerb.
- PSP &.6.3.1(2).

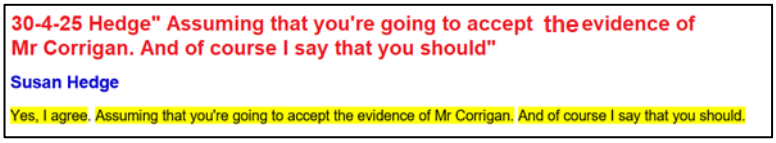
30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

10. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 force a judge to accept the use of Corrigan **fake Stormwater Master Plan** terminology that does not exist, in order to pretend to raise the perceived level of authority the witness, due to the existing low IQ level of the witness.

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"
Susan Hedge
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

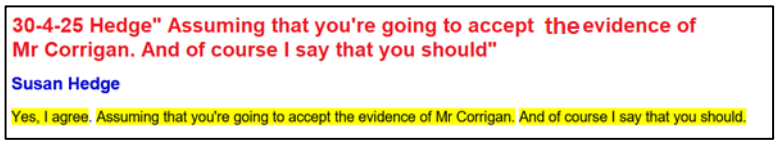
11. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive His Honour Judge Williamson KC by the use of another further flooded stormwater plan promoted by Corrigan in the witness stand, to go **up the side garden path,** for an Upstream Drainage pipe, when the Corrigan report had already placed pipes in the garden path.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

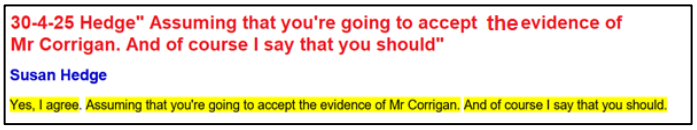
12. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the court by inciting of building **two illegal townhouses** that would incite a development offence that would attract a fine of $751,000 and possible jail sentence to the owner, if built. That is tantamount to fraud by Corrigan and the Respondents, not just an engineering opinion.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

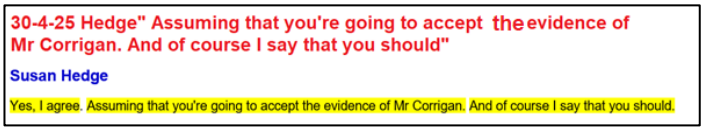
13. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by promoting a **fake Stormwater Master Plan** that Corrigan admitted in the witness stand that that terminology does not exist, (only in fantasyland) .This is tantamount to fraud by Corrigan and therefore the Respondents.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

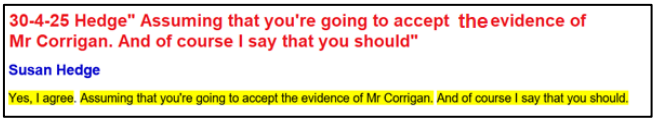
14. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by accepting the Corrigan report which used **7 illegal plastic kerb adaptors, as per BSD 8114, in the middle of a lot**, when only concrete stormwater pits approved under BSD 8091 are legal for plan sealing. BSD 8114 relates to kerb adaptors. The use of fake Corrigan kerb adaptors would have prevented Manteit from sealing the plan.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

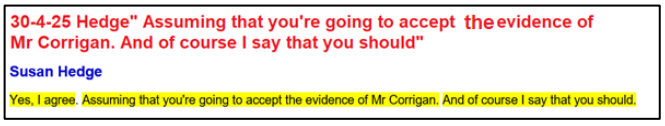
15. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the Court by inciting the building **2 houses illegally on one lot.** This act would attract a fine of up to $750,000, demolition orders and possible imprisonment.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

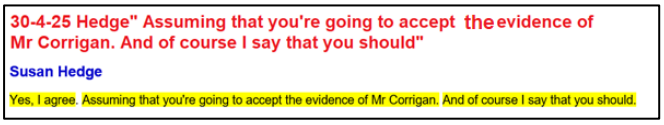
16. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by inciting a fantasy method to fill up the land to make good up to 4 Corrigan flooded stormwater plans.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

17. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court with the Corrigan self statement that his report is **rudimentary".** The report would be illegal under Schedule 2 of the Professional Engineers Act 2002, on that basis, being unsatisfactory professional conduct.

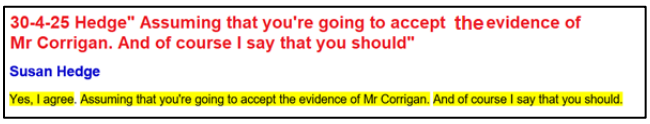

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

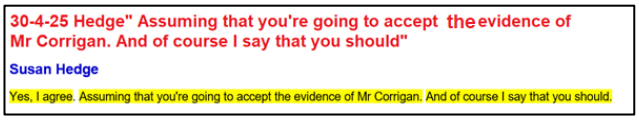
18. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to deceive the court by forcing of His Honour to believe in **200 illegal rainwater tanks in neighbour's yards** could stop or reduce flooding into Manteit's and other Darra residents land.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

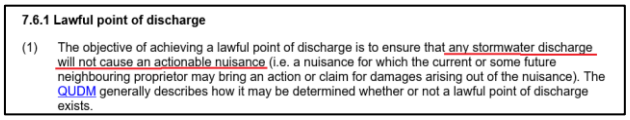
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

19. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to accept the evidence of Corrigan and to incite the breaking of Council laws in relation to use of rainwater tanks -


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

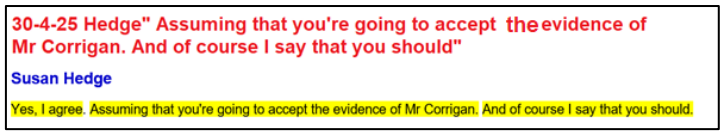
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.


7.6.1 Lawful point of discharge

(1) The objective of achieving a lawful point of discharge is to ensure that any stormwater discharge will not cause an actionable nuisance (i.e. a nuisance for which the current or some future neighbouring proprietor may bring an action or claim for damages arising out of the nuisance). The QUDM generally describes how it may be determined whether or not a lawful point of discharge exists.

- PSP 7.5.3 (6)
- PSP 7.6.1.

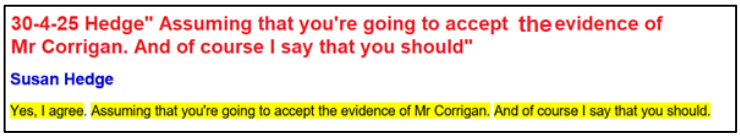
20. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to attempt to deceive the court and being fraudulent by using **"Level II drainage"** in engineering calculations as in S9.7 of the Corrigan report, when Level III is correct, not level I. Level III is to be applied for a material use, ie, subdivisions.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

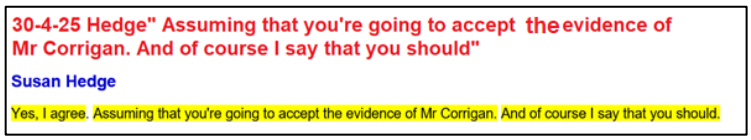
21. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 for Corrigan to fraudulently use **Brismap 2019 contours**, in the Corrigan report when Contours **2002 are the legal contours. All Corrigan's calculations are therefore fraudulent and illegal.**


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

22. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and state that Corrigan "used the same parameters as Civil Works" This is a fraudulent statement by Corrigan.

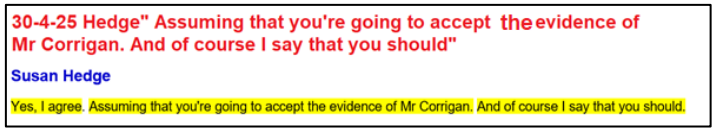

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

23. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and to incite the rise of **illegal half houses**, as per Corrigan's report. This statement is fraudulent by Corrigan. "One townhouse plus **half existing house**', "**Half a townhouse**, **half existing house**"

24. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25, and to blatantly deceive the court by Corrigan in his report, boasting that he was **better than other engineers** by using 2 zeros when this was a blatant lie to the Court.

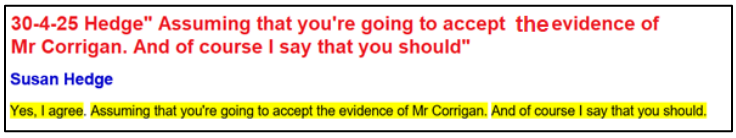

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

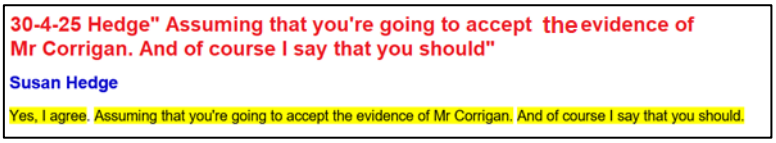
25. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and and therefore the hiding of the total flooding flow L/s in his report, caused by his two Upstream Drainage plans which would cause nuisance flooding under PSP 7.6.1(1).


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

26. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25. and of the inciting to install **illegal rainwater tanks** in rear lots, and incite the breaking of laws -


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

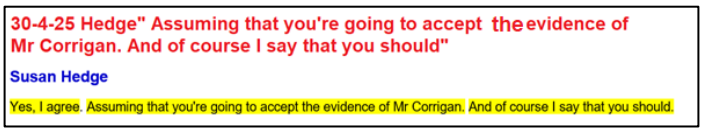
Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- PSP S7.5.3 (6)
- PSP 7.6.1 (6)
- QUDM 5.4.2

and therefore causing nuisance flooding and loss of life to the residents of Darra.

27. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25, including his fraudulent statement that he used Level III drainage for calculations, (to be applied in the case of Upstream Drainage), instead of Level II drainage (not for subdivisions), not complying with council laws -

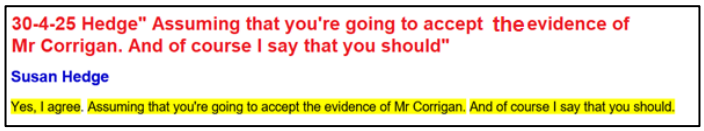

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

PSP 7.6.3.1(2)

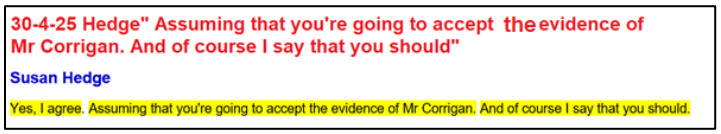
28. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's fraudulent use of Contours 2019 instead of Contours 2002 as this practice would make all his calculations and assumptions totally voided.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

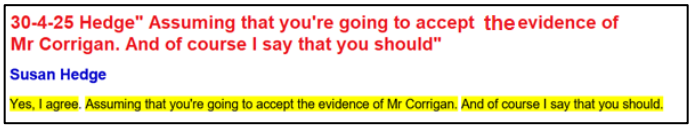
29. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's boasting of use of numbers with **many different decimal places and zeros**, indicating Unsatisfactory Professional Conduct of a registered professional engineer. Corrigan claimed he was better than other engineers with his 3 zeros. This is alleged fraud and incompetence.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

30. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and Corrigan's use of a **fake fraction impervious (fi)** used instead of Coefficient of discharge formula, which understated his rear lot flooding by 15%. This is alleged fraud by Corrigan.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Index

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

31. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 when C**orrigan intentionally hid his total flooding in his report**, which took about an hour in court for Corrigan under interrogation by Manteit to admit what his total flooding was.

32. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court when Corrigan fraudulently understated his flooding calculations by using illegal **"two townhouses",** as the definition of a Multiple dwelling prescribes a minimum of 3 townhouses, not two,

b. Worst case upstream development assumed to be two townhouses per lot, each 180m2, the townhouse towards Killarney Ave to discharge to Killarney Ave, the rear townhouse to discharge towards the subject lot. **Corrigan**

Corrigan Intentional fraudulent statement - *"worst case upstream development assumed to be two townhouses per lot (rear lot)"*

33. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 and deceive the Court by Corrigan, by failing to state the application of the following Council laws in his report or testimony -

- PSP 7.6.3.1(2)
- PSP 7.5.3 (6)

34. It is a criminal contempt of Court by Susan Hedge, to accept the Corrigan evidence in court on 30-4-25 by Corrigan deceptively stating that (a) The worst case is 180sqm per lot, totalling 360sqm, being around 35% site cover/roof area, when the true site cover is 60% to 80%.

35. It is a contempt of Court by Corrigan and the Respondents to deceive the Court by inciting trespass of neighbours' properties to fill the neighbours properties land.

Background of this section

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

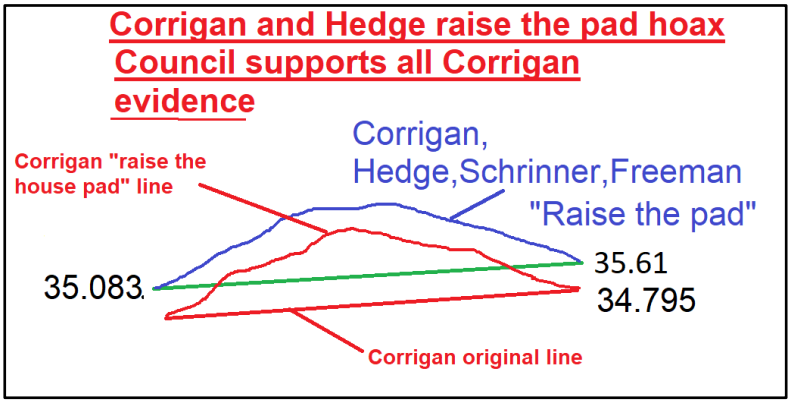
1. The two Corrigan report Upstream Drainage stormwater plans flood by **.503mm** and **.790mm** under the kerb, as agreed by Corrigan and Susan Hedge.

2. Manteit estimates 410,000 litres flooding per hour to Darra residents, nuisance flooding and loss of life as per

PSP 7.6.1(1)

Index

3. It is unfortunate that Corrigan and Susan Hedge have such low IQ to think that Manteit could simply raise the middle of the pipe, but not the ends of the pipe and think that their pipe would stop their flooding.



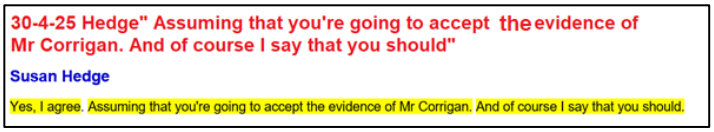
Neither the kerb at one end nor the rear neighbours' properties are legally able to be filled. The rear neighbour's stub is fixed, 825mm below the rear boundary. This will never change.

In addition, it is against Council laws to build an on the boundary wall, as stated in the DA approval 25/9/24.

In addition, a Roman aqueduct is not permitted, whereby a pipe travels in the air.

All this would do by raising the middle of the land would be to flood the residents of Darra even further and cause loss of life.

Susan Hedge on 30-4-25 stated to His Honour Judge Williamson KC she accepts all Corrigan evidence.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

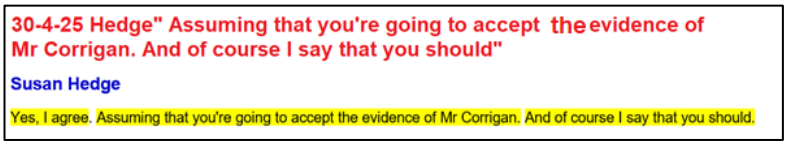
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

Schrinner Council, Cr Schrinner and Dr Freeman instructed, paid for, and audited every word of the Corrigan report and accepted this deceitful report.

Corrigan had lost his memory (as Susan Hedge admits often to other courts)

4. Corrigan had already placed his pipe in the garden path on his plan.

Susan Hedge on 30-4-25 stated to His Honour Judge Williamson KC that she accepts all Corrigan evidence. The Schrinner Council, Cr Schrinner and Dr Freeman accepted, relied on, instructed, paid for, and audited every word of the Corrigan report.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

5. Corrigan and the Respondents are inciting the breaking of PSP 7.6.1 (2) being > 30 L/s at the kerb. The flooding from Lot 97 alone is estimated to be 67 litres per second at the kerb.

6. Corrigan is inciting the breaking of BSD 8111, being < .5% gradient as the pipe would be greater than 600mm from any side boundary and **809mm** under the Ashridge Rd kerb.

Corrigan is inciting the breaking BSD 8111, being illegal due to placing an illegal easement in the front yard of the lot, restricting the building of houses and carports.

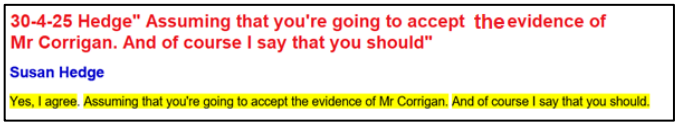
7. Corrigan statement – "worst case upstream development assumed to be two townhouses per lot"

Index

8. Schrinner Council, Cr Schrinner and Dr Freeman forced His Honour to accept the promoting of b**uilding of 2 townhouses, not 3 lawful townhouses, which is illegal.**

Susan Hedge on 30-4-25 told His Honour she accepts all Corrigan evidence. The Schrinner Council, Cr Schrinner and Dr Freeman instructed, paid for, and audited every word of the Corrigan report.

Schrinner Council, Cr Schrinner and Dr Freeman instructed and paid for Susan Hedge to act on their behalf, in chambers and in the courtroom.

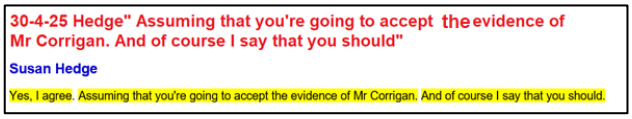

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

9. Schrinner Council, have attempted forced a judge to accept the promoting of a **fake Stormwater Master Plan** that does not exist..

Susan Hedge on 30-4-25 told His Honour she accepts all Corrigan evidence. The Schrinner Council, Cr Schrinner and Dr Freeman instructed, paid for, and audited every word of the Corrigan report.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

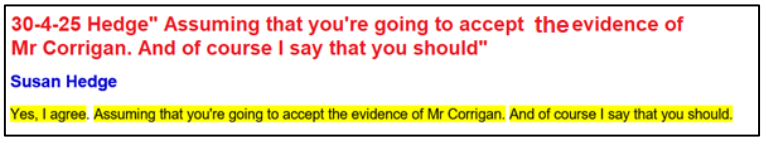
1. Corrigan using **7 illegal kerb adaptors, as per BSD 8114, in the middle of a lot**, when only legal concrete stormwater pits approved under BSD 8091 are legal for plan sealing. BSD 8114 relates to kerb adaptors. Corrigan would have prevented Manteit from sealing the plan.

Schrinner Council, Cr Schrinner and Dr Freeman forced a judge to accept the promoting **7 kerb adaptors in the middle of a lot.**

11. It is contempt of Court by Corrigan and all of the Respondents to deceive the Court by building **2 illegal houses illegally on one lot.** This act would attract a fine of up to $750,000, demolition orders and possible imprisonment.

12. Susan Hedge on 30-4-25 stated to His Honour Judge Williamson KC that she accepts all Corrigan evidence. "I say you should" The Schrinner Council, Cr Schrinner and Dr Freeman instructed, paid for, and audited every word of the Corrigan report and are complicit in the contempt. by using illegal 2 houses on one lot.

13. Susan Hedge on 30-4-25 told His Honour Judge Williamson that she accepts all Corrigan evidence. "I say you should" The Schrinner Council, Cr Schrinner and Dr Freeman instructed, paid for, and audited every word of the Corrigan report and are complicit in the contempt to promote an engineering report that is self described as **"rudimentary"**. The report would be illegal as per Schedule 2 of the Professional Engineers Act 2002.


30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

14. 200 illegal rainwater tanks in neighbour's yards could stop or reduce flooding into Manteit's and other Darra resident's land.

Breaking of Council laws PSP S7.5.3 (6) and PSP 7.6.1(6).

Index

When asked by Manteit to Corrigan if he had ever had one of his rainwater tanks approved for subdivision, Corrigan said "he saw one on the side of a house somewhere"

Break Council laws being Brisbane Planning Scheme Policy PSP 7.5.3(6) and PSP 7.6.1.

15. "**Level II drainage"** in engineering calculations as in S9.7 of the Corrigan report, when Level III is correct, not level II. Level III is to be applied for a material use, ie, subdivisions.

16. Schrinner Council, forced a judge to accept the promoting **7 kerb adaptors in the middle of a lot.**

17. It is contempt of Court by Corrigan and the Respondents to fraudulently use **Brismap 2019 contours**, in the Corrigan report when Contours **2002 are the legal contours. All Corrigan's calculations are therefore fraudulent and illegal.**

18. Corrigan stated that he "used the same parameters as Civil Works" This is a false statement, since -

- Corrigan used a fraudulent fake engineering formula fraction impervious (fi) instead of Coefficient of Discharge, in order to deceive the court and reduce his flood volumes.

- Corrigan used fraudulent plastic "garden style" kerb adaptors instead of legal stormwater pits as per BSD 8091.

- Corrigan used the fraudulent Contours 2019. Civil Works used certified stormwater levels as per ONF certified existing survey levels overlaid in a computer model, as is industry practice as accepted in hundreds of approved cases by Brisbane City Council, including around 30

- approved cases as identified in Manteit audit, court document 27.

19. Schrinner Council attempted to force His Honour to accept fraudulent engineering parameters, such as **illegal half houses**, as per Corrigan's report. This statement is fraudulent by Corrigan. "One townhouse plus **half existing house**', "**Half a townhouse**, **half existing house**"

Schrinner Council attempted to force His Honour to accept fraudulent half houses to be demolished, kept or otherwise, in engineering calculations. There is no Brisbane Planning Scheme policy that accepts half houses.

Corrigan blatantly attempted to deceive the court by boasting that he was **better than other engineers** by using 2 zeros when this was a blatant lie to the Court.

To use numbers with **many different decimal places**, indicating Unsatisfactory Professional Conduct of a registered professional engineer. Corrigan claimed he was better than other engineers with his 3 zeros. Alleged fraud and incompetence.

Index

20. Corrigan intentionally hid his total flooding in his report, which took about an hour in court for Corrigan under interrogation by Manteit to admit what his total flooding was.

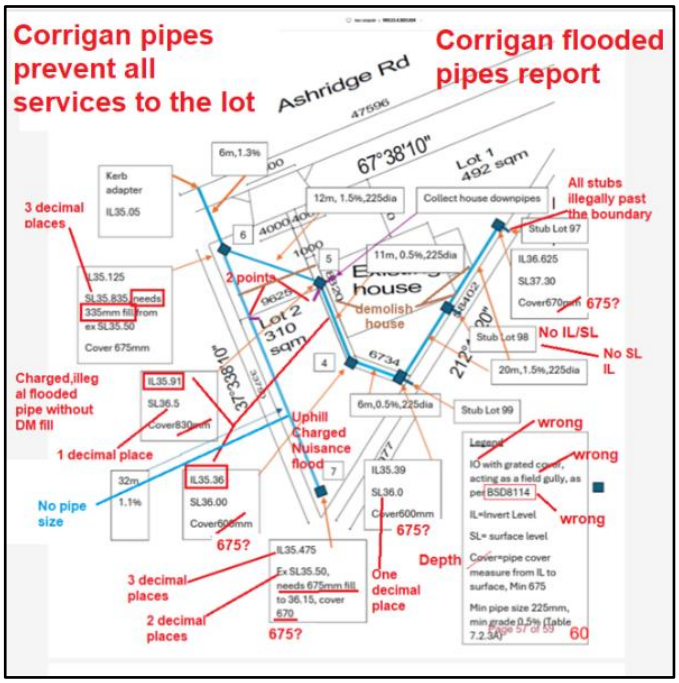
21. Andrew Corrigan, paid for and instructed by Schrinner Council, Cr Schrinner and Dr Freeman, provided a report to Court, filed 23-4-25, that **concocted –**

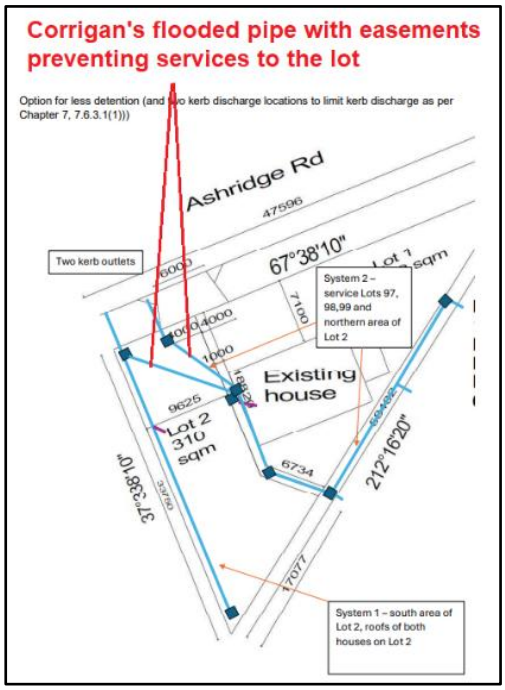
- Up to **8 flooded plans ultimately paid by the ratepayers of Brisbane**
- Over **150 intentional and illegal errors**
- **Inciting the owner to breaking of Council laws and trespass laws.**
- Stormwater plans that defied the laws of **gravity**.
- Statement by Corrigan that he used the **same parameters as Civil Works**.

Two Options for Stormwater Drainage ***Corrigan fraud***

9.7. I used the Rational Method to estimate stormwater flows. I set out stormwater design principles and assumptions for the calculations in this method in **Attachment C**. I note that my assumptions for parameters for stormwater calculations are the same as set out in the report by Civil Works Engineers. I provide a table of calculations of catchment size and pipe flows in **Attachment D**.

22. Corrigan's first two flooded plans





Corrigan produced two flooded plans in his report, flooded by **.503mm** and **790mm.**

3. Corrigan agreed that his Upstream Drainage pipes flooded, in his testimony.

4. Susan Hedge, on 24-4-25 stated to His Honour Judge Williamson KC that his Corrigan Upstream Drainage pipes were flooded and required fill to make good his flooded pipes.

Index

Two more Council paid flooded pipes, on 24-4-25, plus two more flooded Council pipes to come in the witness stand.

24-4-25 Hedge "Corrigan's solution that he says would work does involve a little bit of fillling, but less than one metre"

SUSAN HEDGE

And so there's no need for the condition. If you're required to do the stormwater outcome, then you're required to do the stormwater outcome no matter what.

And so, Mr. Corrigan's solution that he says would work does involve a little bit of filling, but less than one metre.

Susan Hedge - 4 flooded plans in 5 minutes, on 24-24-25

5. Corrigan, Susan Hedge and Schrinner Council, have attempted to fool His Honour Judge Williamson KC with a fantasy dream was that raising the building pad in the middle of the lot and/or using fill would fix Corrigan's flooded pipes.

The tactic could only be promoted by persons with low IQ.

The low IQ Susan Hedge and Corrigan intentionally withheld information from His Honour Judge Williamson KC –

- The rear neighbour invert level must be **825 mm below** surface level (Pipe 375mm, cover 450mm). This cannot be changed.

- The kerb invert level cannot be changed. Ie, **ESL 35.083** and **ESL 35.463** (as per ONF Surveyors, Court doc xxxx). Note that existing surface level (ESL) is the same as future surface level (FSL) and (IL). They are all the same. They never change.

- See Fall of Land affidavit, Court doc filed 27-1-25. These invert levels cannot be changed.

All the Corrigan and Susan Hedge fantasy plan would achieve would be to buckle the pipe in the middle and cause backflow and nuisance flooding of 1 million litres per hour, on my site, to rear neighbours and cause possible death.

The low IQ Susan Hedge and Corrigan plan would have caused nuisance flooding of around 9 million litres per hour to the rear neighbours and residents of Darra and possible death.

Index

6. Susan Hedge then stated 5 minutes later, on 24-4-25, that Corrigan provided 2 further flooded hydraulic plans that could be fixed by fill. That was a false statement and is alleged contempt of court. One cannot fix a flooded pipe by raising the pipe in the middle. One cannot raise the neighbour's yard, to obtain cover. One cannot lower the kerb.

Two more Council paid flooded pipes, on 24-4-25, plus two more flooded Council pipes to come in the witness stand.

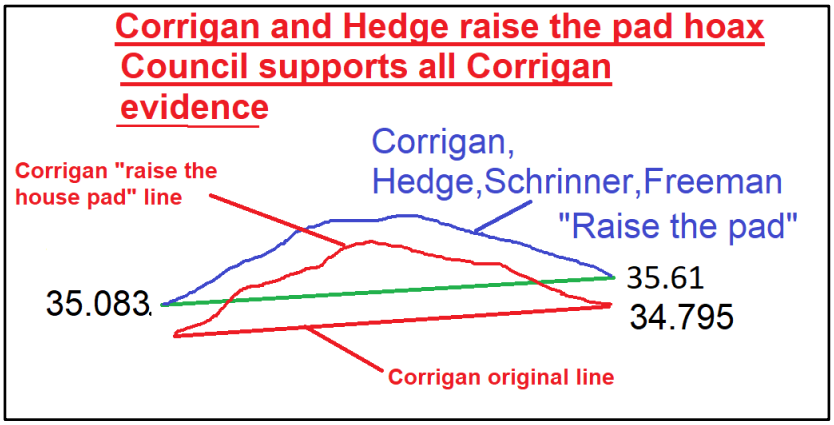
24-4-25 Hedge "Corrigan's solution that he says would work does involve a little bit of fillling, but less than one metre"

SUSAN HEDGE

And so there's no need for the condition. If you're required to do the stormwater outcome, then you're required to do the stormwater outcome no matter what.

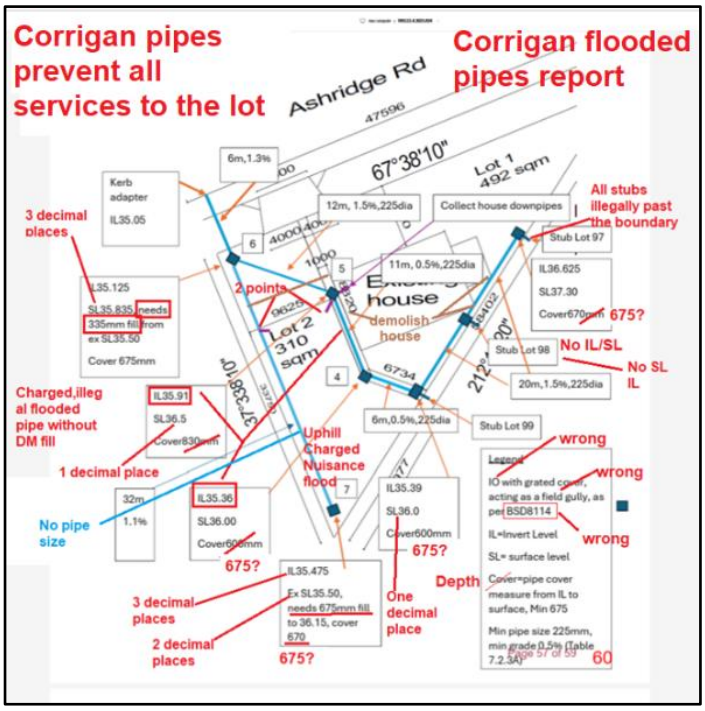
And so, Mr. Corrigan's solution that he says would work does involve a little bit of filling, but less than one metre.

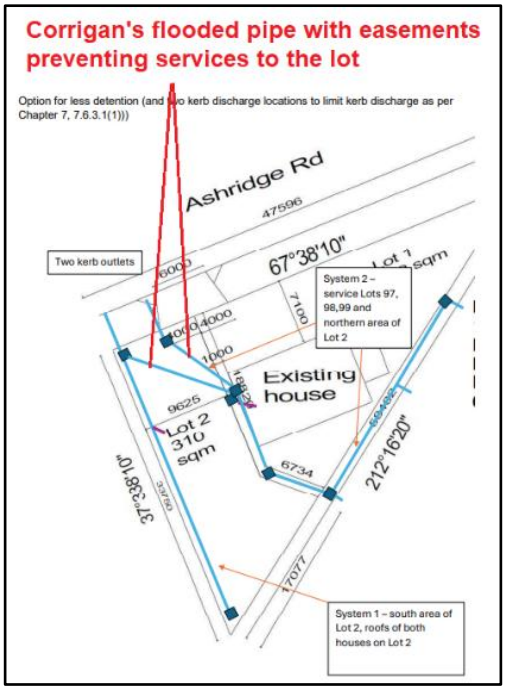
7. The **"fill the pad" strategy was a hoax** to fool the court and soak up time. In addition, Corrigan's easements blocked off all services to the lot.



Manteit depiction of Corrigan raising the land to rectify his flooded pipes that would cause nuisance flooding under PSP 7.6.1 and possible loss of life.

8. Corrigan's first two flooded plans – report dated 22-4-25





In addition –

Index

- Corrigan self describes his report as **"rudimentary". The ratepayers have paid for a rudimentary report. What a disgrace to the ratepayers by Cr Schrinner and Dr Freeman.**

> 3.6. Detailed upstream stormwater modelling is required and has not been carried out by the Applicant. I have undertaken a rudimentary analysis of upstream catchment boundaries (in **Attachment C**) along with options for stormwater infrastructure that satisfies the objectives (**Attachment D**). This stormwater infrastructure satifies the intent of the red indicative mark ups on the approved plan SK01.

9. Corrigan used **illegal rainwater tanks** in rear lots, and inciting the owner to break these laws -

PSP S7.5.3 (6)
PSP 7.6.1 (6)
QUDM 5.4.2

> drainage reserve, but not within road reserves. Only above-ground detention storages will be permitted in Council-owned lands. Tanks in public roads will not be accepted.
> (5) Above-ground detention basins should be integrated with water quality treatments by locating the detention storage requirement above the water quality extended detention depth.
> (6) Council will not support the installation of on-site (lot-based) stormwater detention facilities in a residential subdivision on each freehold lot as there is no provision to adequately ensure these facilities are protected or maintained into the future.
> (7) Using stormwater detention tanks in commercial or industrial developments will be permitted where located on lots or within privately owned roads/driveways. Similarly, tanks could be used within roads/driveways owned by community title for residential developments.

PSP 7.5.3 (6) – "Council will not support the installation of on-site (lot-based) stormwater detention facilities in a residential subdivision on each freehold lot…"

> (6) The provision of stormwater detention does not negate the requirement for a lawful point of discharge for development. Detention systems do not manage nuisance flows and may concentrate water that would have otherwise sheet flowed across a site boundary, often have high outlet velocity and will regularly release stormwater over extended periods of time. The provision o storm water detention is not to result in uncontrolled scour, ponding and nuisance to adjacent properties that would have otherwise not been experienced under existing conditions.

10. PSP S 7.6.1 (6) - "*Rainwater tanks do not negate the requirement for a lawful point of discharge for development.*"

"Detention systems do not manage nuisance flows."

Index

5.4.2 On-site detention systems QUDM

There are generally three design standards set by regulating authorities, they are:

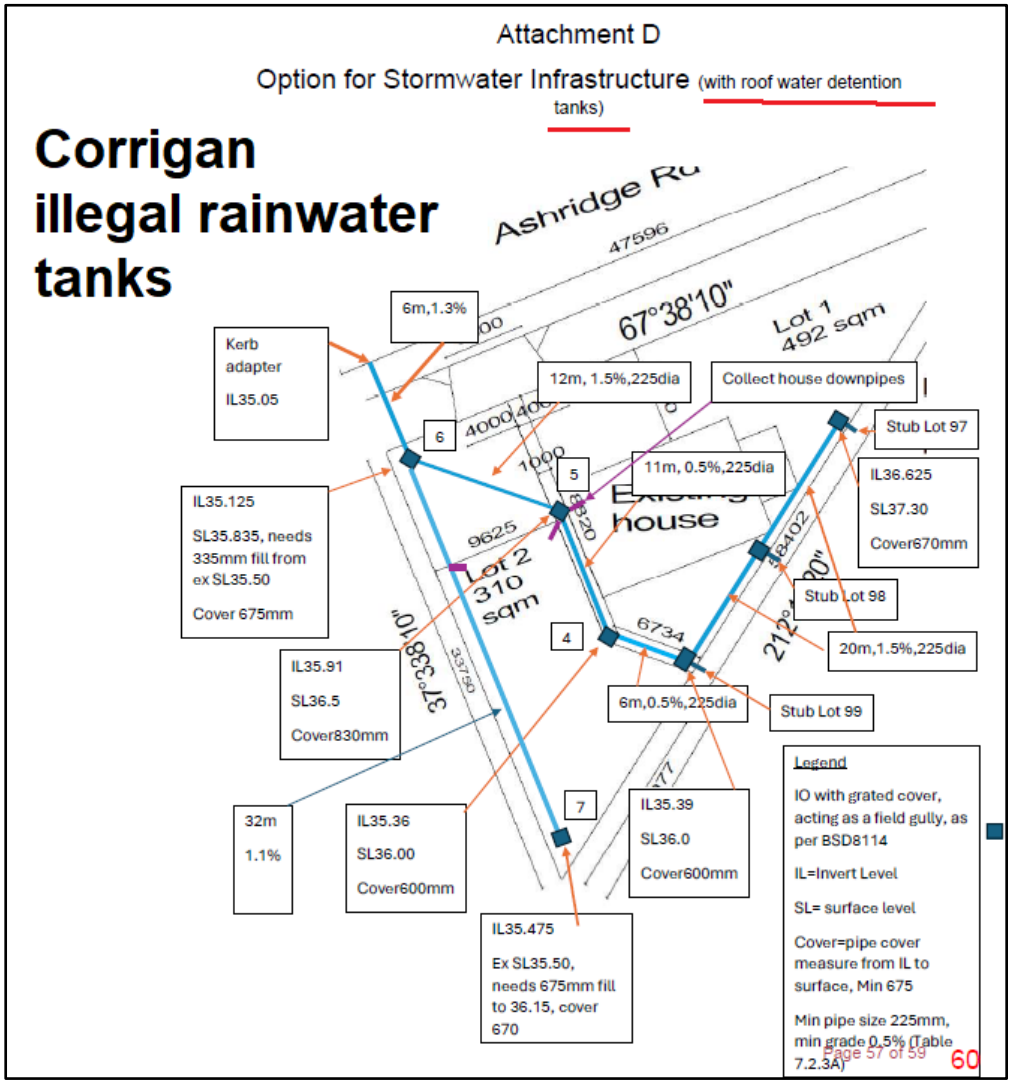
- A specified minimum site storage requirement (SSR) and permissible site discharge (PSD) relative to either the site area, land use, or the change in impervious area.
- A permissible site discharge for the specified design storm frequency with no minimum storage volume specified.
- A requirement not to exceed pre-development peak discharge rates for a range of design storm frequencies.

The first two design criteria are often adopted by local governments following the development of a regional flood control strategy, Master Drainage Plan, or Stormwater Management Plan.

Most small on-site detention systems incorporate underground tanks. When appropriate soil and groundwater conditions exist, some underground tanks can be converted into infiltration systems. Above-ground stormwater detention tanks are rarely used on single residential properties because of the risk of the tanks being converted solely to rainwater tanks.

Above-ground stormwater detention tanks are rarely use on single residential properties

"Above-ground stormwater detention tanks are rarely used on single residential properties because of all the risks being converted to rainwater tanks"



11. Corrigan has intentionally deceived the Court by not applying or stating S7.6.3.1 (2) in his

Index

report, which states -

- The flow velocity for the development plus any external catchment is required to be no greater than 30 L/s at the kerb, as per S7.6.3.1 (2).
- Material change of use (**subdivision**).
- **Level III drainage** (applied for Upstream Drainage).
- Applied to the **total discharge** from the development, (meaning the subject site development) plus any external catchment. In other words, both developments.
- The **more rear lots that are added**, the **greater the the flows will be applied at the one and only kerb adaptor**, forcing nuisance flooding to the Darra residents.

7.6.3.1 Connection to kerb and channel

(1) The maximum permissible discharge to the kerb and channel must be limited to 30L/s (i.e. maximum 2 single house lots per discharge point dependent on roof area), and twin 100mm diameter pipes (equivalent 150mm diameter) with approved kerb adaptors.

(2) For development that is a material change of use (i.e. other than (1) above), Level III drainage (connection to kerb and channel) is only permitted if the total discharge from the development including any external catchment does not exceed 30L/s. Multiple hot dip galvanised rectangular hollow sections (RHS) 125/150/200mm wide x 75mm or 100mm high must be used (refer to BSD-8113).

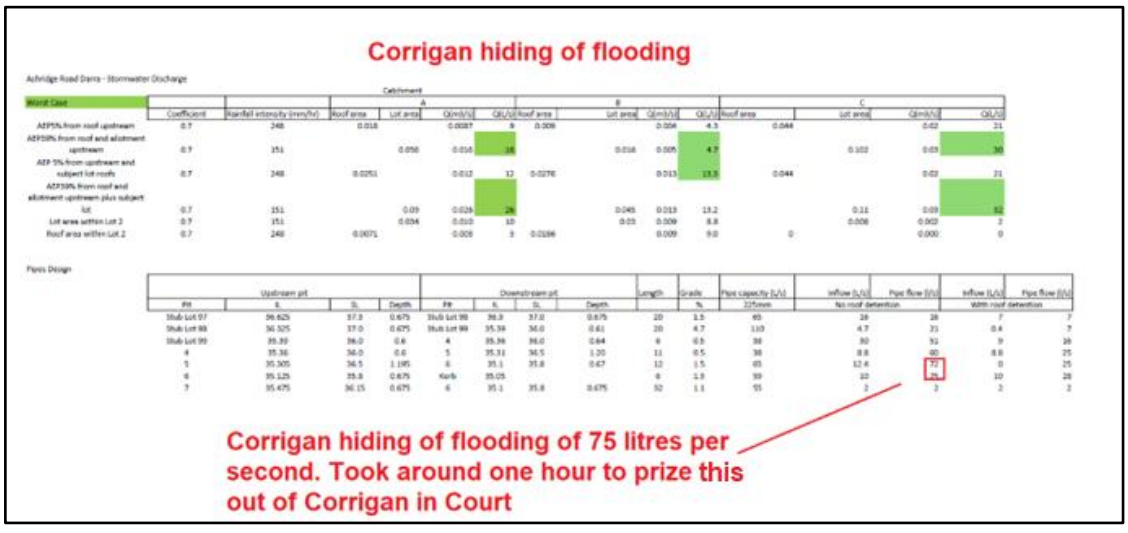
(3) Only approved full-height kerb adaptors, complying with BSD-8114 are permitted. The kerb adaptors must be placed in a location where service pits on the footpath will not conflict with the future pipe location.

(4) Discharge into the high side kerb of a one-way crossfall street is generally not permitted for any development other than a single-house dwelling.

12. Use of Contours 2019 instead of Contours 2002.

Attachment		
B	Brismap 2019 Contours	Corrigan - unlawful

13. Hiding of total flooding by Corrigan, which took an hour in court for Corrigan under interrogation by Manteit to admit what his total flooding was.



Index

- Intentional understatement of flooding. Alleged fraud.

b. Worst case upstream development assumed to be two townhouses per lot, each 180m2, the townhouse towards Killarney Ave to discharge to Killarney Ave, the rear townhouse to discharge towards the subject lot. **Corrigan**

14. Corrigan Intentional fraudulent statement *"worst case upstream development assumed to be two townhouses per lot (rear lot)"*

Corrigan false statements

Stormwater design assumptions

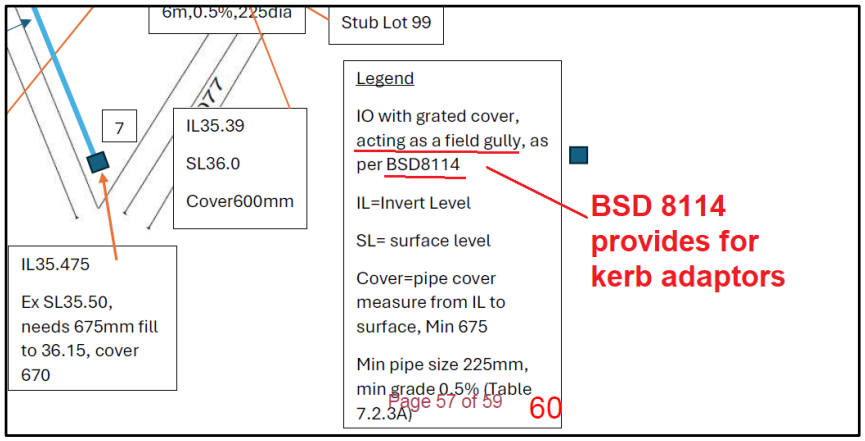
a. Level II drainage as per QUDM Section 7.13.2, namely pipe system to convey the greater of 5% AEP (1/20) roof discharge or 39% AEP (1/2) discharge of the roof plus allotment.
b. Worst case upstream development assumed to be two townhouses per lot, each 180m2, the townhouse towards Killarney Ave to discharge to Killarney Ave, the rear townhouse to discharge towards the subject lot.

15. Illegal use of **Level II drainage** instead of Level III drainage. Alleged fraud.

Stormwater design assumptions

a. Level II drainage as per QUDM Section 7.13.2, namely pipe system to convey the greater of 5% AEP (1/20) roof discharge or 39% AEP (1/2) discharge of the roof plus allotment.

16. Use of **7 illegal BSD 8114 kerb adaptors** in the middle of lot 2. Alleged fraud.



17. Use of fake **fraction impervious (fi)** used instead of Coefficient of discharge formula, understating rear lot flooding by 15%. Alleged fraud.

Index

Stormwater design assumptions **(Corrigan)**

d. Coefficient of discharge f_i=0.7 (worst case = town house development upstream), as per QUDM Section 4.5

Notes (Table 4.5.1):

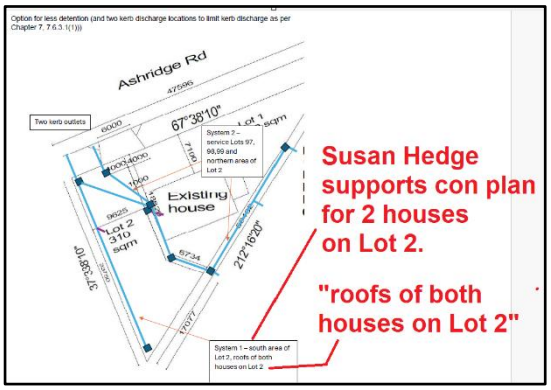
1. Designer should determine the actual fraction impervious for each development. Local governments may specify default values.
2. Typically for urban residential high density developments:

townhouse type development	f_i = 0.7
multi-unit dwellings > 20 dwellings per hectare	f_i = 0.85
high-rise residential development	f_i = 0.9

fake formula, promoted by Corrigan and Hedge

18. Corrigan's states that the **Coefficient of Discharge is fi = .7** …as per QUDM 4.5". Alleged fraud.

19. Illegal **building of 2 houses** on lot 2. Alleged fraud.



20. Use of illegal two **townhouses** only, on rear lots to understate flooding. Alleged fraud.

Multiple dwelling Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements	Multiple dwelling means a residential use of premises involving 3 or more dwellings, whether attached or detached.	Apartments, flats, units, townhouses, row housing, triplex

21. Use of **illegal half houses**. Alleged fraud.

Total Catchment AEP 5% discharge from upstream townhouse roof 180m2 plus roofs on subject lot namely 115m2 proposed roof and 143m2 existing house	One townhouse plus half existing house on subject lot 180m2+71m2=251m2	Half a townhouse, half existing house, all of proposed house on subject lot 90m2+71m2+115 m2 = 276m2	Same as above 0.044ha

22. Use of **illegal flooded hydraulic plans** ending up .5m and .8m under the kerb. Alleged fraud and incompetence. Alleged fraud.

Index

23. Use of numbers with **many different decimal places**, indicating Unsatisfactory Professional Conduct of a registered professional engineer. Corrigan claimed he was better than other engineers with his 3 zeros. Alleged fraud and incompetence.

Corrigan is very proud of three zeros. 24-4-25

Some engineers would record that as just the two decimal places. I happen to do it to three there. Anyway, it says IL 36.625, and then that pipe has a fall on it to the stub that joins the stub to lot 99. and there's an arrow pointing there and the IL is at 35.39. So there's a full... These levels are expressed as a... as what's known as a reduced level.

"Some engineers would record that as just the two decimal places."

So what's this, Corrigan?

Susan Hedge has zero idea of why the winemaster uses zeros all over the place.

	Upstream pit		
Pit	IL	SL	Depth
Stub Lot 97	36.625 3	37.3 1	0.675 3
Stub Lot 98	36.325 3	37.0 1	0.675 1
Stub Lot 99	35.39 2	36.0 1	0.6 1
4	35.36 2	36.0 1	0.6 1
5	35.305 3	36.5 1	1.19 3
6	35.125 3	35.8 1	0.675 3
7	35.475 3	36.15 2	0.675 3

Susan Hedge winemaster witness 1 zero 9 times
2 zeros 3 times
3 zeros 8 times

24. Corrigan hid the fact that the rear lot owners would be forced to use filling of a front lot to Killarney St, if they subdivided, under Corrigan reports.

25. Corrigan has destroyed the opportunity for the Killarney St owners to replace an undersized pipe placed in any development of 128 Ashridge Rd.

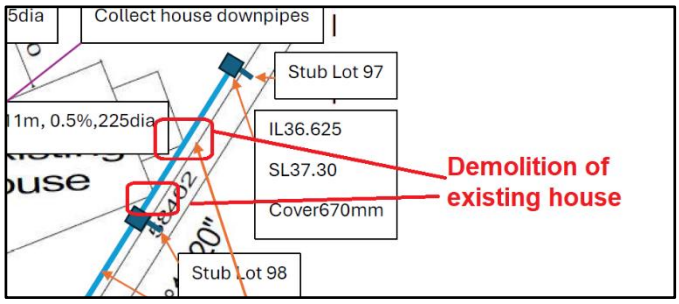
This would invite legal action from Killarney St owners since they have no further option to negotiate with the owner of 128 Ashridge Rd for downstream development. (assuming 128 Ashridge Rd is downstream.

26. Illegal statement that a private certifier is required to seal a subdivision plan.

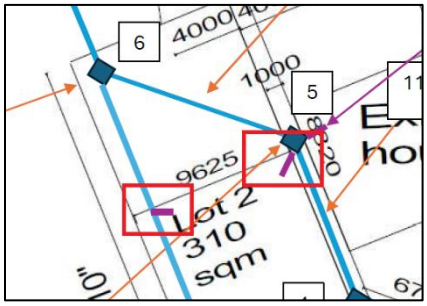
27. Requirement of the **existing house to be demolished, to make way for stormwater pipes and easements.**

Index

28. Placing of **roof water connection** for the new lot **under the proposed slab**, instead of near the front boundary.



29. No placement of a **roof water connection** as close as possible to the front boundary, to enable all possible construction, including a carport.



30. Understating of roof area in the rear lots, of 180*2 = 360 sqm. This statement on its own understates true flooding by 60% .Alleged fraud.

Corrigan false statements

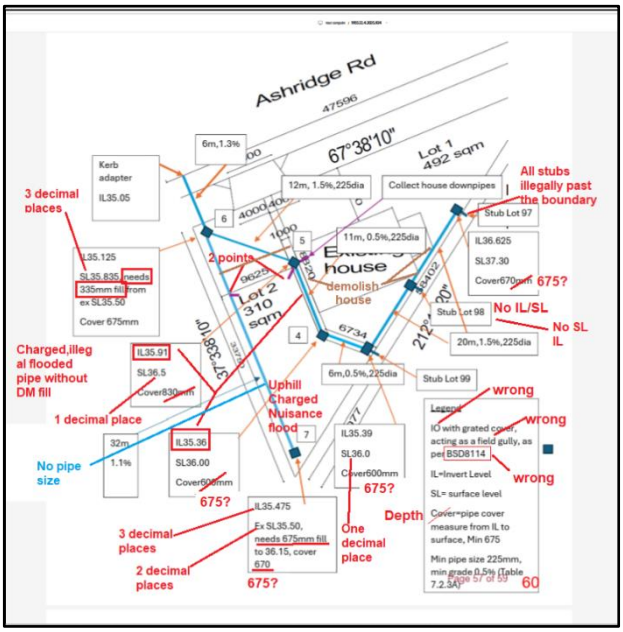
Stormwater design assumptions

a. Level II drainage as per QUDM Section 7.13.2, namely pipe system to convey the greater of 5% AEP (1/20) roof discharge or 39% AEP (1/2) discharge of the roof plus allotment.
b. Worst case upstream development assumed to be two townhouses per lot, each 180m2, the townhouse towards Killarney Ave to discharge to Killarney Ave, the rear townhouse to discharge towards the subject lot.

31. Use of a **fake stormwater master plan**. This is not required by Council law.

32. ot one **Planning Scheme Policy** was stated in the report**, except the misleading S7.6.3.1(1). Deceptive by not mentioning S7.6.3.1 (2).**

33. Pretending that a **"solution"** must be provided, yet there is no word "solution" in City Plan. Nor do Council assessment officers ask applicants to provide a solution. Corrigan states that the trigger is that water falls over the boundary. There is in fact no mention of "falling over the boundary" in City Plan. There is no definition of upslope.



34. Corrigan failed to sight the fall of land affidavit supplied by Manteit, which proves there is no fall over the boundary to the subject lot for lot 98,99.

Index

40. Corrigan statements as a witness.

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge for accepting the evidence of Corrigan on 30-4-25 and accepting the witness conduct of Corrigan of refusing to cooperate with Manteit's enquiries, and being evasive in the witness stand at various times between 28-4-25 and 30-4-2.

Corrigan evaded questions put to him by Manteit, those questions being relevant to the case, and in addition, Corrigan was demonstrating substantial unsatisfactory professional conduct, that of a professional engineer, as indicated in the following extracts of his witness testimonies.

Corrigan

"You can't give a yes or no answer"

You can't give a yes or no answer. I'd say very unlikely. But until it's looked at in detail, and various options put up. I ean, what would, in my experience, what would normally happen to this situation is that the applicant, the developer, would probably engage an architect to do all the setbacks and possible envelope.

"I think its difficult to say with any certainty"

Corrigan

I think it's difficult to say with any certainty.

29-4-25

"would present a lot of problems with the result that the middle house would be very quite small"

For example, I had a look at where there might be three townhouses on each of those lots and the turning circle to get a car into a garage of the middle lot to enable the owner of the rear lot to get past, the turning circle would present a lot of problems with the result that the middle house would be very quite small.

"So there are complications like that"

So there are complications like that, and that's why I thought that under those circumstances a reasonable estimate of a worst case here was what I've said, the 180 metre square townhouse in the rear of the lot.

Corrigan

three townhouses - "would present a lot of problems with the result that the middle house would be very quite small"

I think it's difficult to say with any certainty.

For example, I had a look at where there might be three townhouses on each of those lots and the turning circle to get a car into a garage of the middle lot to enable the owner of the rear lot to get past, the turning circle would present a lot of problems with the result that the middle house would be very quite small.

So there are complications like that, and that's why I thought that under those circumstances a reasonable estimate of a worst case here was what I've said, the 180 metre square townhouse in the rear of the lot.

Index

"So if the building upstream ignores or contravenes .....yes, you can get nuisance flooding....."

29-4-25

Corrigan

So if the subsequent building upstream ignores or contravenes substantially enough, the master stormwater, yes, you can get nuisance flooding caused by not complying with your development approval.

Why your wording doesn't match the urban drainage manual"

28-4-25

David Manteit

Is there any reason why your wording doesn't match the urban drainage manual? Is there any reason why you didn't say stormwater management plan?

"Just using some common jargon"

Corrigan

No, the references in my report are just using some common jargon to describe what I'm concluding there. I guess it wasn't, I didn't make it as formal as using a capitalised stormwater management plan.

The context, I believe, would show that they're the same thing.

David Manteit

Well, it's just that I think it might be mentioned about 10 times in the report, and it's no reference to anything. I'll put that to you, Mr. Corrigan.

Corrigan - "I've just used some common language - ..That's all I've done."

Corrigan

I don't see any problem with that. I've just used some common language to refer to something which in the urban drainage manual has a more formal term to it. That's all I've done.

A master normally is for the whole of a very large catchment.

Corrigan

A master plan normally is for the whole of a very large catchment.

I mean, there may well be, well, there is a master plan for the whole of the Darra area, but it's a high-level master plan model. In fact, all of Brisbane's got a high-level master plan model.

But it doesn't, it's not used in this context where we're looking at the specific solution to drainage of upstream lots with a future development.

But it's not used in this context where we're looking at the specific solution to drainage of upstream lot with a future development.

Index

Corigan hasn't done any modelling himself.....

"if it turns out a detailed modelling takes place...."

Corrigan

Yes, it could be. It may be that that depending, what I would point out is that the indicative design in that second option shows two curb outlets.

I guess I'd be saying it's indicating that there could be multiple outlets, so one of the options is to go to a third outlet.

If it turns out that a detailed modelling with no detention takes place, there are ways to do a third outlet. I mean, for

A master normally is for the whole of a very large catchment.

Corrigan

A master plan normally is for the whole of a very large catchment.

I mean, there may well be, well, there is a master plan for the whole of the Darra area, but it's a high-level master plan model. In fact, all of Brisbane's got a high-level master plan model.

But it doesn't, it's not used in this context where we're looking at the specific solution to drainage of upstream lots with a future development.

But it's not used in this context where we're looking at the specific solution to drainage of upstream lot with a future development.

Corrigan makes a typing errror and he thinks it is probably pertinent" 28-4-24

Corrigan

There's a typing error on one of the plans and I think it probably is pertinent to what I've heard this morning, so I'll take you to that, so. Yes, but let's start with, is it on page 60? It's on page 60.

David Manteit ***"You don't know that there'r actually one of these systems has been approved..?"***

So, you don't know that there's actually one of these systems that has been approved under City Plan 2014 at all. Is that correct, Mr Corrigan?

Corrigan

No, I know of such a solution since 2014. Yes, I do know of them.

I can't exactly just recall the address right now or anything like that, but I do know that they are entertained from time to time in recent times.

David Manteit **"I can't recall the address right now or anything like that"**

So you don't actually have any examples that we could quote? Not here and now, no. In 2014, they don't exist, is that correct?

Corrigan **"I don't have any that I can quote for you right now"**

I don't have any that I can quote for you right now, no.

Index

"the indicative plan that I showed for catchments and flows would be done .. and would have pages and pages of printout."..... Corrigan still using Fortran from 1977

"that would be what the upstream developer would have to use" (pages and pages of paper)

Corrigan

Okay, so the indicative plan that I showed for catchments and flows would be done in more detail and formalised generally by one of the software models, and that would then have pages and pages of printout, and that would al become part of the development approval and that would be what the upstream developer would have to use.

JWKC - "Do you accept that in your assessement of the catchment..... could be more inrensly developed?" **28-4-25**

Corrigan "Of course, absolutley, yes.....then stormwater discharge will increase"

Judge Williamson KC

Mr Corrigan, do you accept that in your assessment of the catchment, if it's within your area of expertise, could be more intensely developed?

Corrigan

Of course, absolutely, yes, and if it subsequently may turn out, and these exercises in my experience have done just that, where subsequent town planning experts agree that a denser development is possible upstream. If that is the case, then the stormwater discharge will increase.

Corrigan, in the olden days..... ***28-4-25***

Corrigan - "In my experience, there used to be a rule of thumb..... (ie, in the olden days)

Corrigan

In my experience, to do a detention calculation, there used to be the rule of thumb from Queensland Urban Drainage Manual, and five minutes was a typical kind of solution.

...five minutes was a typical kind of solution...

Index

"My role's not to design it for you"

This would be part and parcel though, again, of this detailed modelling that you'd expect to get

My role here was to show an indicative solution that would work here.

My role's not to design it for you.

My role's to show that there's a solution that can be made to work here. If it turns out that detailed engineering examination of this shows that the coefficient is higher than what I've assumed, then the flow would be higher by that amount.

I still don't think that that goes to anything. It just shows that there's a slightly higher flow from the upstream development that needs to be catered for, by whatever means that is going to be catered for.

"So if the building upstream ignores or contravenes .....yes, you can get nuisance flooding....."

Corrigan

So if the subsequent building upstream ignores or contravenes substantially enough, the master stor...water, yes, you can get nuisance flooding caused by not complying with your development approval.

Manteit - "I'm sitting there and I've got to call the police.....is that correct?"

David Manteit

All right, so you admit there could be flooding in Newtons because people don't have any physical way of stopping that flow to be 38, 38 and 38, which is 114 litres per second, the capacity of three, two, two five mil pipes. You're saying that there's no way to stop it. It wouldn't be flooded. I'm sitting there and I've got to call the police or someone. Is that correct, how I understand that, please?

Corrigan **"What you said is correct**

The latter part of what you said is correct if the upstream development does not adhere to the conditions that they would have got for their development approval. So if the subsequent building upstream ignores or contravenes substantially

Corrigan wants to use a pipe with an instrument. 24-4-25

If it turns out that a detailed modelling with no detention takes place, there are ways to do a third outlet. I mean, for example, what was going through my mind when I was listening before was that there could be yet another pipe with an instrument from lot 97 straight across to the northeast of the existing house, which would solve a lot of problems. So there are these different concepts that one could Yes,

Index

Corrigan comes clean. 30-4-25

Corrigan wants to exceed the maximum that's in the Planning Scheme.

Corrigan

I think the wording of 9.92 could probably better say a second option is to reduce or not make use of detention tanks, as shown indicatively in attachment D. Now the heading at the top of the second option of attachment D says less detention.

I didn't really look at what the solution would be for the difference between less detention and no detention. I was just trying to show something indicative as to how you deal with the curb discharges exceeding the maximum that's in the planning scheme. The 30 litres a second?

Corrigan has lots of problems

Corrigan

Yes, it could be. It may be that that depending, what I would point out is that the indicative design in that second option shows two curb outlets.

I guess I'd be saying it's indicating that there could be multiple outlets, so one of the options is to go to a third outlet.

If it turns out that a detailed modelling with no detention takes place, there are ways to do a third outlet. I mean, for example, what was going through my mind when I was listening before was that there could be yet another pipe with an instrument from lot 97 straight across to the northeast of the existing house, which would solve a lot of problems. So there

Dumbo Susan Hedge picks up Corrigan's typos. Corrigan not capable to work his own mistakes.

Susan Hedge

And then there's an orange arrow pointing to that blue square. That's correct. Which appears on the, which leads to a box and in the box it says IL 35.91, SL 36.5 and cover 830mm. That's correct. I'll just check we're all looking at the right box. Thank you. And so is one of those numbers mistyped?

Corrigan

Yeah, there's a mistype, so where it says at the moment IL 35.91, it was meant to say IL 35.31. So be replaced by a three.

"Yeah there's a mistype. It was meant to say 35.31

28-4-25

When an accurate design was done, that would be looked at a litte bit more carefully, to get an accurate statement..

And the cover is how much soil there is above the pipe. Nominally here, I've just pretty much taken the cover as being the difference between the IL and the SL, but when an accurate design was done, that would be looked at a little bit more carefully to get an actual accurate statement of the cover.

Index

Corrigan had a brainwave while he was listening to someone in court...

Corrigan "what was going through my mind when I was listening before..."

Yes, it could be. It may be that that depending, what I would point out is that the indicative design in that second option shows two curb outlets.

I guess I'd be saying it's indicating that there could be multiple outlets, so one of the options is to go to a third outlet.

If it turns out that a detailed modelling with no detention takes place, there are ways to do a third outlet. I mean, for example, what was going through my mind when I was listening before was that there could be yet another pipe with an

"i didn't really look at what the solution would be...."

Corrigan

I think the wording of 9.92 could probably better say a second option is to reduce or not make use of detention tanks, as shown indicatively in attachment D. Now the heading at the top of the second option of attachment D says less detention.

I didn't really look at what the solution would be for the difference between less detention and no detention. I was just trying to show something indicative as to how you deal with the curb discharges exceeding the maximum that's in the planning scheme. The 30 litres a second?

Corrigan needs to sit down

"I can't give you a definitive answer without sitting down"

Corrigan "and doing all the design considerations"

I would think it's unlikely. It would need to be looked at and I can't give you a definitive answer without sitting down and doing all the design considerations and so on.

Index

Why your wording doesn't match the urban drainage manual"

David Manteit

Is there any reason why your wording doesn't match the urban drainage manual? Is there any reason why you didn't say stormwater management plan?

"Just using some common jargon"

Corrigan

No, the references in my report are just using some common jargon to describe what I'm concluding there. I guess it wasn't, I didn't make it as formal as using a capitalised stormwater management plan.

The context, I believe, would show that they're the same thing.

David Manteit

Well, it's just that I think it might be mentioned about 10 times in the report, and it's no reference to anything. I'll put that to you, Mr. Corrigan.

Corrigan - "I've just used some common language - ..That's all I've done."

Corrigan

I don't see any problem with that. I've just used some common language to refer to something which in the urban drainage manual has a more formal term to it. That's all I've done.

the indicative plan that I showed for catchments and flows would be done .. and would have pages and pages of printout..... Corrigan still using Fortran from 1977

Corrigan

Okay, so the indicative plan that I showed for catchments and flows would be done in more detail and formalised generally by one of the software models, and that would then have pages and pages of printout, and that would all become part of the development approval and that would be what the upstream developer would have to use.

29-4-25

"So you just don't know the answer until those professionals have a look at it, and they need to have a really good look at it"

Corrigan

It may be that what the architect comes up with as a development solution is a smaller roof area than what the engineer comes up with who's just looking at setbacks and trying to find the highest roof area that can fit in that's consistent with turning circles for vehicles and all that kind of thing.

So you just don't know the answer until those professionals have a look at it, and they need to have a really good look at it too, to come up with what would be the most likely ultimate upstream development.

Index

29/4/25

"It would need to be looked at in some detail"

Corrigan

No, I think there are going to be issues with setbacks from the boundaries. I don't think you could fiddl as well.

It would need to be looked at in some detail as to what various options might be.

29/4/25

"I think all those options would need to be looked at with dimensions and figuring out levels"

Corrigan

I said a moment ago I think all those options would need to be looked at with dimensions and figuring out levels and how conceivably it might work.

There'd be a bit of time involved to have a look at that. I considered for the purposes of what is a reasonable assumption here, the option that I've described.

"There'd be a bit of time involved to have a look at that"

29/4/25

"I think all those options would need to be looked at with dimensions and figuring out levels"

Corrigan

I said a moment ago I think all those options would need to be looked at with dimensions and figuring out levels and how conceivably it might work.

There'd be a bit of time involved to have a look at that. I considered for the purposes of what is a reasonable assumption here, the option that I've described.

"There'd be a bit of time involved to have a look at that"

29-4-25

"So you just don't know the answer until those professionals have a look at it, and they need to have a really good look at it"

Corrigan

It may be that what the architect comes up with as a development solution is a smaller roof area than what the engineer comes up with who's just looking at setbacks and trying to find the highest roof area that can fit in that's consistent with turning circles for vehicles and all that kind of thing.

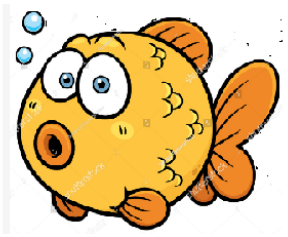
So you just don't know the answer until those professionals have a look at it, and they need to have a really good look at it too, to come up with what would be the most likely ultimate upstream development.

Index

"I think it's difficult to say with any certainty" **30-4-25**

"would present a lot of problems"

"so there are complications like that"



Corrigan

I think it's difficult to say with any certainty.

For example, I had a look at where there might be three townhouses on each of those lots and the turning circle to get a car into a garage of the middle lot to enable the owner of the rear lot to get past, the turning circle would present a lot of problems with the result that the middle house would be very quite small.

So there are complications like that, and that's why I thought that under those circumstances a reasonable estimate of a worst case here was what I've said, the 180 metre square townhouse in the rear of the lot.

24-4-25

Corrigan **"you'd need to sit down with all the dimensions and look at that specific issue."**

you'd need to sit down with all the dimensions and look at that specific issue.

David Manteit **30-4-25**

Well, could I say, Mr Corrigan, if we built up the house pad by 790mm, it would work? And you'll still want

Corrigan

It would certainly, it would possibly work. There are going to be other issues. I mentioned earlier, you may not need to build it up by that much.

You may be able to put the stormwater pipe, I'll deal with the sewerage in a moment, but you may be able to put the stormwater pipe behind the retaining wall.

You know, you took me to the plan by Civil Works engineers before, and there's cross section B, which is

That one. I mean, it shows quite nicely that you could put the stormwater pipe in the pathway behind that retaining wall, and you wouldn't have to lift the house pad.

"it shows quite nicely that you could put the stormwater pipe in the pathway"

David Manteit

Judge Williamson KC **30-4-25 Easement**

But the first point is, you say, they can create and constraint. So does Mr Corrigan, do you agree that the pipe and all that would go with it? Does that create a constraint, first of all? Yes, it does. Now, I think Mr. Monty's point is it's a constraint that is so significant, in effect, would preclude the location of provision of other services, or impact on the provision of access?

Corrigan

That's correct.

Judge Williamson KC

And would it be that?

Corrigan

It would be, yes, it's a constraint in terms of planning it out. For other underground services, it would have to be taken into account. If you said access, if it's vehicular access, I mean, I do know where driveways do go over a council easement, so there

Index

"the issue is that you're putting me to a lot of very detailed possible solutions and questions"
"It needs a fairly comprehensive design examination"

Corrigan

Look the issue is that you're putting to me a lot of very detailed possible solutions and problems, which really have to be looked at to make the overall master plan work. And I think that needs to be done. And I mean, I think there are solutions to all this, but it needs a fairly comprehensive design examination to put all the constraints together.

24-4-25

Corrigan **"you'd need to sit down with all the dimensions and look at that specific issue."**

you'd need to sit down with all the dimensions and look at that specific issue.

24-4-25

"now that would all need to be looked at in detail"

Now that would all need to be looked at in detail.

That's why I think the worst case would be the 180 square metre roof in the rear of the lot. I think that's a reasonable

24-4-25

Corrigan **"I think all those options would need to be looked at with dimensions and figuring out levels"**

I said a moment ago I think all those options would need to be looked at with dimensions and figuring out levels and how conceivably it might work.

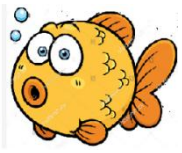
There'd be a bit of time involved to have a look at that. I considered for the purposes of what is a reasonable assumption here, the option that I've described.

"There'd be a bit of time involved to have a look at that"

"I think it's difficult to say with any certainty" **30-4-25**

"would present a lot of problems"

"so there are complications like that"



Corrigan

I think it's difficult to say with any certainty.

For example, I had a look at where there might be three townhouses on each of those lots and the turning circle to get a car into a garage of the middle lot to enable the owner of the rear lot to get past, the turning circle would present a lot of problems with the result that the middle house would be very quite small.

So there are complications like that, and that's why I thought that under those circumstances a reasonable estimate of a worst case here was what I've said, the 180 metre square townhouse in the rear of the lot.

Index

41. Ryan report

Aleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge on 28-4-24 to force Ryan in the witness stand to change his witness report on the day of the trial, by stating his new position of which Susan Hedge stated was a significant issue in the case.

His Honour said “Yes”

The change was Ryan’s position on the timing of engineering submissions, from his report dated 22-4-25, being originally after construction to prior to construction of the pipes.

2. It is a criminal contempt of Court by Susan Hedge to categorically state to His Honour on 24-4-25 that Council’s position for the trial was that the timing of submitting engineering plans was after construction of the pipes, when only 5 minutes into the trial, Susan Hedge stated it was after

Background

1. Susan Hedge forced Ryan into changing his position in order to

- Use Ryan as a scapegoat for the failure of Cr Schrinner and Dr Freeman to change the Condition which was unfavourable evidence to Council.

2. Ryan admitted he has no knowledge of Brisbane Planning Scheme Policies.

3. Ryan admitted that he has no knowledge with any roof or engineering

Index

29-4-25 Ryan mistakes

Susan Hedge

You've prepared an affidavit in this proceeding which is dated the 22nd of April 2025, is that correct?

Ryan

That's correct.

Susan Hedge

It's become Exhibit 7. Your CV appears at page 24 of that 2.5?

Ryan

Yes.

Susan Hedge

Okay. You have two corrections to that as I understand it. Yes, please. The first on page 7.

Ryan

Yes.

Susan Hedge

In paragraph 2.5e

Ryan

Yes in the first line after the words in each of the examples above, comma, I would insert the word council, so it would read in each of the examples above, council would be confident.

Susan Hedge

Thank you. And is there a second correction on page 19?

Ryan

That's correct.

Susan Hedge

Subparagraph J, which is right at the top of the page, and what's the

Ryan

Thank you. The correction is it currently says Stormwater Code Performance Outcome AO1. That should read Stormwater Code Acceptable Outcome AO1.

Susan Hedge

Thank you. Are there any other corrections?

Index

29-4-25

Ryan

Those are the corrections, thank you.

Susan Hedge

Your affidavit and report corrected as we have this morning. Are the facts stated in that report correct to the best of your knowledge and knowledge?

Ryan

Yes, they are.

Susan Hedge

I was now going to act on your Honour's leave yesterday to ask about the amended conditions. Do you have a copy of the table, Mr Ryan, which is Exhibit 9, called Conditions Contended by Respondent?

Ryan

Yes, I do.

Susan Hedge

Can I ask you to turn to page 11?

And you understand the left-hand side is the decision notice condition and the right-hand side is what the council's contending in the trial?

Ryan

Hedge -"Counci's contending in the trial"

Yes.

Susan Hedge

On page 11, in the middle of the page, you see the underlined section which requires that the stormwater drawings and engineering calculations that are certified by Registered Professional Engineering Queensland in accordance with the relevant Brisbane Planning Scheme codes be submitted to council for approval?

Ryan

Yes I see that.

Susan Hedge

Yes it is.

Index

29-4-25

Ryan

I think in this case condition 18 is dealing with upstream stormwater drainage. It requires, as is commonly the case, a detailed design to be prepared.

And I think in instances where it deals with stormwater and other properties and potential impacts on downstream properties, I think it's reasonable that Council would review that detailed design before it's implemented.

Susan Hedge

Review and approve?

Ryan

Review and approve, that's right.

Susan Hedge

Thank you. Turning to page 12, and yesterday I think you were in court when I indicated that the underlying sections right at the top of the page in timing for 18A should actually be in the timing of 18B.

Ryan

Yes. Do you remember that? I do remember that.

Susan Hedge

Alright. And is your view that that timing for 18b that is the implementation of the certified stormwater drawings that occur prior to council's notation on the plan of subdivision and after the approval of the drawings.

Is that a reasonable response to the planning scheme provisions that are relevant?

Ryan

Yes, I think it's a reasonable response. I think it adds, the addition adds some clarity to ensure that the approval is obtained prior to those works being carried out.

Susan Hedge

Thank you.

Index

24-4-25 "I don't thing I can assist with that question. Its a matter of engineering design"

Keiran Ryan

I'm sorry, I don't think I can assist with that question because it's a matter of engineering design, which is outside my expertise.

David Manteit

Right, that's sort of, because there are other ones there, I don't want to bore you to tears, coefficient, you know, it's in the town plan. So, would you say that anything with a number from the town plan that you can't assist?

"I can't assist. ..is a matter of engineering"

Keiran Ryan

No, I wouldn't say anything with a number I can't assist, but this section that you've taken me to is a matter of detailed engineering design that I can't assist with.

David Manteit

We're not reading it out, but have you ever known council to support lot-based stormwater detention facilities in a residential subdivision on, I will read it out a bit, on freehold lots at all in your experience? And if you have, could you give me the address?

Ryan - "I don't recall examples where they did or didn't"

Keiran Ryan

I don't recall examples where they did or didn't, I'm sorry. I think anything, and so, as a town planner, we would normally defer these matters across to the development engineer when it comes to a development application, either assessing or lodging. So, I can't give you examples where they were, and I can't give you examples where they are not. I'm not trying to be unhelpful, but again, I think matters, particularly within this planning scheme policy, I think are largely matters outside my expertise.

Ryan - "matters, particularly within this planning scheme policy, I thnk are largely matters outside my expertise"

Index

42. Intentional withholding of Easement document by Schrinner's Council, Council employees, Cr Schrinner and Dr Freeman.

Alleged Contempt of Court

1. It is a criminal contempt of court by the Respondents, of an act of omission for 7 months, to totally prevent Manteit from prosecuting his case at the trial, due to non-supply of the Council easement, first requested to 6 Council employees on 1/10/24, asking 27 questions of them of the easement document, without response.

2. It is a criminal contempt of Court by the Respondents, for 7 months to withhold from Manteit the Council easement document and pipe level information of the Upstream Drainage within the easement documents, pertaining to the Upstream Drainage pipes by -

- Schinner's Council.
- Susan Hedge
- Cr Schrinner
- Dr Freeman
- Sara Sara McCabe

3. It is a criminal contempt of court by the Respondents, for 7 months to refuse to respond to all telephone requests and letters from Manteit to supply of the engineering information that pertained to -

- Wording of the Council prepared easement document
- Copy of the Council prepared easement document
- Surface level and invert level of the Council employee authored engineered pipes and

4. It is a criminal contempt of court of a criminal standard by the Respondents to accept all Corrigan evidence and deceive the Court by Corrigan **concocting 8 flooded plans by Corrigan** that all relied on an illegal easement crossing the front yard of Lot 2.

5. It is a criminal contempt of court by Cr Schrinner by refusing to supply a copy of the Council easement document, when he was written to by Manteit, on 5-6 occasions, prior to the Notice of Appeal of 19/11/24, as per filed documents in the table below.

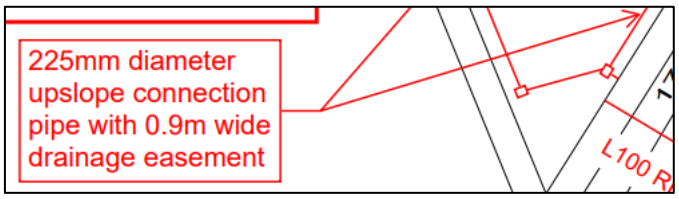
6. It is a criminal contempt of court by the Respondents to prevent Manteit from designing any Upstream Drainage pipe.

7. It is a criminal contempt of court of a criminal standard, by the Respondents to accept all Corrigan evidence and attempt to deceive the court by relying on Corrigan's 8 flooded plans with illegal easements

Index

Background

1. The 13 Council unlicenced Council employees are the authors of the illegal flooded DA approved Upstream Drainage red line plan, and easement displaying pipe with .9m wide drainage easement, placed on the DA approval, comprising of 61m of red lines, pipes, pits and kerb adaptor within the Council easement.



From: Lucy Ting
Sent: Monday, 2 September 2024 1:35 PM
To: Margaret Orr; Darren Evans; Beau Reichert
Cc: George Kaithakkottil; Joel Wake; Zarndra Piper; Scott Ruhland; Emma Mezzina; Brendan Gillham; Margaret Orr; Darren Evans; Beau Reichert
Subject: 128 ASHRIDGE RD DARRA (A006565555)
Attachments: 20240902131637717.pdf

Hi Scott & Joel

Following on from my MS Teams conversation with you both last Thursday 29/08/2024, I also spok with Andrew Blake today. The development proposal can be approved with the Site drainage mino condition and the Upslope property drainage connection referencing the attached Stormwater Drainage Plan as marked up by TST Hydraulics.

Regards
Lucy Ting
Senior Engineer I Development Services
City Planning & Sustainability I BRISBANE CITY COUNCIL

Brisbane Square | 266 George Street BRISBANE QLD 4000
Phone: 07 3403 5005 | Fax: 07 3403 4291
Email: lucy.ting@brisbane.qld.gov.au

2. Manteit was not the author of the Upstream Drainage lines, pits and easement plan. The author of the hydraulic engineering has the responsibility for the standard of the hydraulic engineering.

Cr Schrinner and Dr Freeman are responsible for the conduct of their employees as per letter from the CCC to Manteit on 17-9-25.

Cr Schrinner and Dr Freeman are responsible for their employees to not be deceitful and dishonestly refuse to supply a copy of the easement and engineering of the pipes and pits within that easement.

Index

Letters to Cr Schrinner

Letter to Lord Mayor, 22/10/24, Court doc 74, filed 16-1-26

David Manteit
82 Rowe Tce
Darra 4076

22/10/24

The Lord Mayor
The Manager
Brisbane City Council

cc.
Sara McCabe
City Legal
Margaret Orr
Tom Gibbs
Zarndra Piper
Joel Wake
Scott Ruhland
cc. brisbanecitycouncilcomplaints.com.au

cc. Planning and Environment Court Registry

128 ASHRIDGE RD DARRA EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24 AND OTHER

I have written to the Lord Mayor again because all the named parties refuse to respond, including City Legal.

City Legal have been sent six emails and no acknowledgement or response. It is incredible that the City of Brisbane has no working legal section or apparent legal representation.

I have served documents for a Planning and Envirnment Court case and no acknowledgement from Brisbane City Council in writing.

Brisbane City Council appears to have no ordinary nor legal representation. You leave me no option but to correspond with the Lord Mayor and filing with the Planning and Environment Court until the matters are resolved.

1) I require the document wording.of the easement document, as per your duty of the approval. I need this -

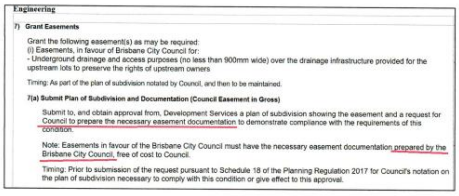
- In the ordinary course of business of progessing design.
- Possible S75 representations
- Possible S230 appeal, rolling over from the current matter.

(46)

Letter to Lord Mayor, 22/10/24, Court doc 74, filed 16-1-26

- **The Planning Court judge will want this material filed now.** Time is of the essence. Your failure to provide may be seen as general contempt of the applicant, your ratepayers who will be footing the bill, and the Court Judge, since I have asked Council some 20 plus questions on the easement document many times including of 1/10/24. That is 21 days ago. Silence. Why ?

- Silence. Council is hindering my business. Damages have already been requested in orders for loss of busines.



Engineering

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots to preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

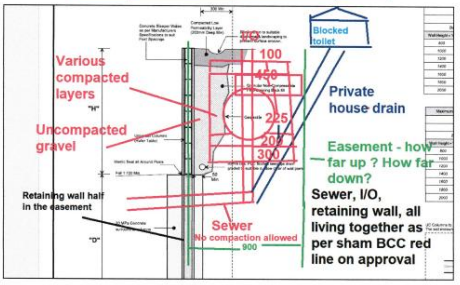
7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane City Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

I mention that the easement will affect many many items for construction.



(47)

Letter to Lord Mayor 22/10/24, Court doc 74, filed 14-1-26

Is Lucy Ting in possession of a crosssection of how sewerage,retaining wall and stormwater pipe would cooexist, or even get signed off for design and construction? Please supply.

Name of private certifier to sign off the building works, ie, that comply with the Queensland Development Code in that the stormwater pipe compaction during the construction will not adversely affect the sewerage assets in the zone of influence.

This is why I need to sight the specific wording of the easement. I must identify all easement constraints additional to the construction constraints.

We still don't know if one has to use a helicopter to jump over the sham triangle.

The stormwater pipe itself is already mutually incompatible with the retaining wall and the sewerage pipe. No engineering can successfully have all items of stormwater pipe engineering, sewer pipe engineering and retaining wall engineering to be constructed on top of each other. The retaining wall engineer will not sign off because of your stormwater pipe. Urban Utilities will not sign off with the presence of your stormwater pipe, which will be compacted down on top of their sewerage pipe.

Council designed the red line. Council has a responsibility to advise how to construct the pipe such that any party can recover damages from the other party for failure of their system.

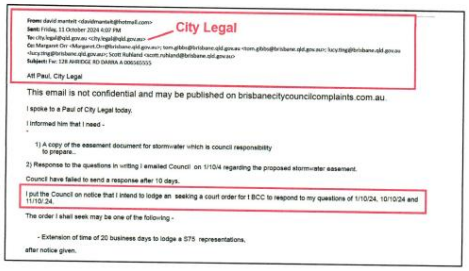
This is apart from the charged sham pipe calculations ending up1-1.5m below the kerb.

This is apart from the sham requirement to fill the block, which will not raise the requirement for the neighbour's stub to be 450 cover.

I assume your employee solicitor has now been struck off, due to refusal to acknowledge the existence of applicant to Council Court warning emails, including email of 11/10/24. This is -

- A dishonest but very foolish and childish tactic for a solicitor since 6 other employees were cc. at the same time. I offered her fours to check and get back to me. She still refused.
- tampering with evidence
- reduces my attempt to obtain costs
- dilutes my argument.

Letter to Lord Mayor, 22/10/24. Court doc 74, filed 14-1-26



From: david manteit <davidmanteit@hotmail.com>
Sent: Friday, 11 October 2024 4:07 PM
To: city.legal@qld.gov.au <city.legal@qld.gov.au>
Cc: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>
Subject: Fw: 128 ASHRIDGE RD DARRA A 000585555

City Legal

Att Paul, City Legal

This email is not confidential and may be published on brisbanecitycouncilcomplaints.com.au.

I spoke to a Paul of City Legal today.

I informed him that I need -

1) A copy of the easement document for stormwater which is council responsibility to prepare.

2) Response to the questions in writing I emailed Council on 1/10/4 regarding the proposed stormwater easement.

Council have failed to send a response after 10 days.

I put the Council on notice that I intend to lodge an seeking a court order for t BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/.24.

The order I shall seek may be one of the following -

- Extension of time of 20 business days to lodge a S75 representations,

after notice given.

This and another City Legal emails will be in affidavit with the Court in the next few days. You are already in possession of all of these emails with no response or confirmation to the applicant.

Does City Legal exist ? The receptionist on Level 16 last Friday there was nobody present in City Legal in the building.

The Council choice not to respond to a legal notice warning on 11/10/24 is your problem not mine. You now need to pay my damages.

I await your urgent advices.

Yours Faithfully

DAVID MANTEIT – APPLICANT

(49)

Index

Confidential Correspondence from Crime and Corruption Commission - CO-25-0869

From Complaints <Complaints@ccc.qld.gov.au>
Date Wed 17/9/25 1:41 PM
To david manteit <davidmanteit@hotmail.com>

Dear Mr Manteit

RE: YOUR COMPLAINT ABOUT BRISBANE CITY COUNCIL

I refer to your emails on 5 August 2025 to the Crime and Corruption Commission (CCC).

The CCC have considered the additional information you have provided, in relation to your concerns about the conduct of Brisbane City Council (the council) staff allegedly performing unlicensed engineering.

How we assessed your complaint
In considering the additional material you have provided, the CCC has determined to change our original assessment decision and determined your complaint is appropriate to refer to the council.

This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.

The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.

3. It was impossible for Manteit to construct the DA approved Upstream Drainage pipes since they were flooded,1.2m under Ashridge Rd, The flooding was agreed by -

- Susan Hedge on 24-4-25.
- Corrigan
- Civil Works
- Manteit

4. The Council employees knew the pipes were flooded, from the moment they prepared the draft, as displayed

Confirmation from TST about plan mark ups	Carried mark ups over to plan of subdivision. Confirmation below that TST is happy with mark ups and final plan

Lucy Ting 10:58 am

Court doc 27, filed 24-3-25

Sch. 4(4)

Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate. Regards Lucy Ting

" Lucy Ting - Morning Joel. In relation to 128 Ashridge Rd Darra, I can confirm that the marked-up stormwater requirement on the ROL Plan is accurate.

Regards Lucy Ting. "

Index

All requests made by Manteit to the unlicenced Council employees, Schrinner's Council and City Legal for information regarding and a copy of the Schrinner Council prepared easement document, commencing on 1/10/24 with 27 questions have been refused point blank, by all the Respondents, including Cr Schrinner, in 6 letters.

5. There has been no response by the Respondents to provide the easement document when the unlicenced employees invented the pipes and authored the pipes, not Manteit.

6. The withholding of this easement and pipe information is contempt of Court by Schrinner Council, Cr Schrinner, Dr Freeman and Sara McCabe.

7. Manteit had prepared his trial arguments on for the trial commencing 28-4-25 on the basis that the Upstream Drainage pipes were being contended by Council that the pipes were not flooded under Ashridge Rd.

8. The incompetent Corrigan has relied on the Schrinner Council easements to pretend that his 4 flooded plans work. The fact is that Corrigan's four flooded plans still do not work, and are flooded, even with using the illegal easements.

9. Corrigan stated that he had in his experience that cars could drive over his easement and services.

However, there is no past Council case in which an easement is not dedicated as a separate driveway and used only for vehicular movement.

There is no past Council case in which an easement is placed in someone's front yard.

The easements not only block off services, they block of any ability for Manteit build a carport, There is an existing carport. This would have to be demolished to allow for Corrigan's flooded pipe easement, due to the easement conditions.

As stated, Corrigan's pipes are flooded. No amount of fill will change that.

9. The withholding of this easement information by Schrinner Council has caused inability for Manteit to prosecute his case.

10, The withholding of the Council easement information has cost the Court 8 months of

11. Had Council supplied the information of the surface levels of the pipes (as requested) prior to 19-11-24, there would have not been any Notice of Appeal case made by Manteit.

But the unlicenced Council employees chose to hide the information for the possibility of losing their jobs.

Cr Schrinner and Council withheld the easement information to hide the prospect that they might

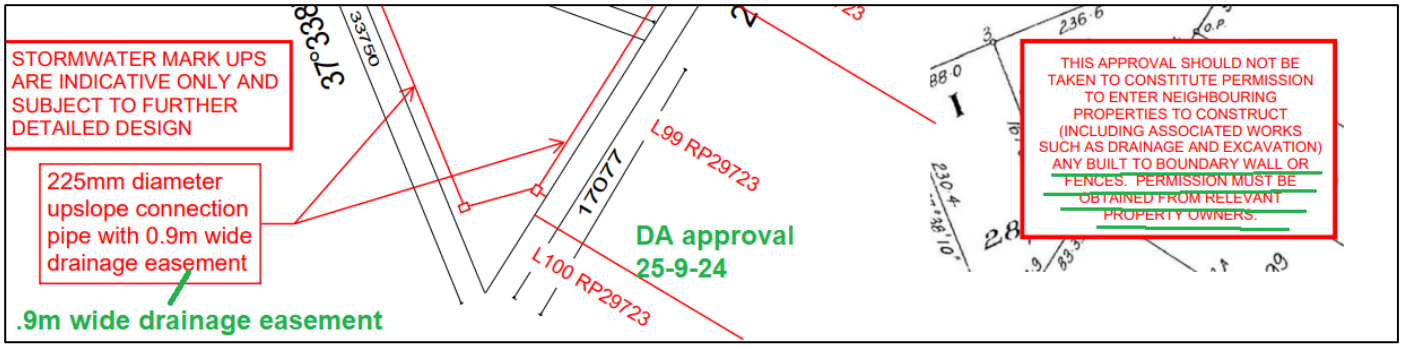
Index

be reported to the Crime and Corruption Commission.

9. The withholding of the easement information by the unlicenced Council employees, Schrinner Council, and Dr Freeman is sufficient grounds for a retrial, on the basis of withholding of information to Manteit, alone.

10. The withholding of the unlicenced Council employee and Schrinner Council authored easement information, from Manteit is dishonest and has interfered with with the running of the case. Council employees and the Schrinner Council have withheld the easement information since they knew the pipe was flooded.

11. The Schrinner Council notes stated ".9m wide easement".



12. The Schrinner Council DA approval 25-9-24 states "the necessary easement documentation prepared by the Brisbane City Council"

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross) Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition. Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane City Council, free of cost to Council. Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.	As indicated

13. Manteit could never have submitted "A plan of subdivision" since Schrinner's Council never supplied to Manteit the surface levels, invert levels of the pipes and pits.

14. Manteit could never have submitted "A plan of subdivision" since Schrinner's Council never supplied to Manteit the surface levels, invert levels of the pipes and pits.

15. Below is the filed documented evidence filed of requests for Council authored easement information and statements by Manteit.

- Requests by Manteit for a copy of the Schrinner Council unlicenced employee authored easement document.

- Requests by Manteit for information regarding the Schrinner Council unlicenced employee

Index

authored easement document.

- Requests by Manteit for information from the Schrinner Council unlicenced employees such as surface levels and invert levels of the illegal flooded Schrinner Council unlicenced employee authored Upstream Drainage line and pits.

- Requests by Manteit for Schrinner Council unlicenced employees to provide Zone of Influence conflict information.

Index

Date filed.	Court Doc No.	Doc Type	Item date	Pages Sectn	Details
4-12-24	15	Affidavit, 36 pages. Email from Manteit to Council employees, Schrinner Council, City Legal.	1/10/24	P1-5	Letter to 4 Council employees. 27 questions and statements regarding **easement** and flooded levels of Council employee Upstream Drainage pipe. No response. “I request that you respond to my request to the following in relation to S7 of the approval dated 25-9-24. “Council has taken it upon themselves to provide a **half baked red line on a plan of subdivision, without any details. You designed it, I didn’t”.** “Council did not provide this plan as prepared by them prior to final approval.” ***“Council stormwater plan does not work, for many reasons”*** ***“Please provide surface levels and invert levels of the 225mm stormwater pipe”*** *5) “Is there **restrictions in the easement** document for other services such as NBN, power, water supply copper pipes”* *16) **“Please provide cross section of the above, for clarity. This information affects surface levels and invert levels”*** *17) ”Please provide **restrictions of the easement in any way, shape or form”*** ***18) “Please provide any other requirements of any restriction”*** *23) “Can a carport without footings in the **easement** be built over stormwater easement?* *26) “Does the **easement** restrict distances to retaining walls and houses.?”*

Index

					"If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the Court to consider this action and take into account any costs of the case." *"It is stated in the approval that Council will prepare the* ***easement document****, not mine"* *"Please provide by 5pm today responses to the above questions and the following –* *Wording* *All plan view* *Cross sections front, back, left, right that take into account of the above"* *"Today I requested by telephone to the receptionist to talk to the City Legal Team.* have not had a response from that legal team. Please get them to respond by 10am tomorrow." *"Joel Wake. He called me. I did not call him."* *I asked him several questions –* *"Please provide the* ***easement document*** *wording proposed" He said "that's down the track". I said "No, its now. I need to assess the red line now"* *"Have you checked the easement pipe for falls?"* *Wake said he didn't know the answer to any of my questions. I said "Surely you state that you are the assessment manager, but you have no knowledge of these items?"* *"I asked Wake if he assessed the stormwater pipe. He said no. He said you should contact them. They will tell you."* *I asked " what are their names? They are not called They.* ***Wake said he did not know their names.*** *"I asked Wake – "who is the assessment manager for Planning Act purposes? He said* ***"I am the assessment manager"***

Index

					"I asked Wake again– Have you assessed the stormwater pipe if you are the assessment manager?"
	73	Letter to Orr, Piper, Ruhland, Gibbs,Ting,	4/10/24	P1-4	"100 Approval provides for the City Council Team to prepare the **easement document.** Please advise, as already requested verbally to the receptionist on 1-10-24 a contact name that I may clarify the issues as mentioned in my letter of 1/10/24." "Wake said "I dunno about that **easement document.** I will try….." Thanks for nothing. Wake, Still no response from Wake trying.. Zilch Zippo. 11) Please provide the name in writing of the engineer that is willing to discuss all engineering matters"
	73	Letter to City Legal. No response.	11/10/24 and 11/10/24	P1/23 P19/23	"It is noted that there has been no response to my last letter re **easements"** Plan view and cross section of flooded Upstream Drainage. "Is BCC aware that no amount of fill can magically change the height of the neighbour's stub?' "It is simply ludicrous that that Council think that fill can magically change the height of the neighbours stub.
	73	Letter to City Legal, orr, Ting, Gibbs, Ruhland,	11/10/24	P1/6	"Att Paul, City Legal" I spoke to Paul of City Legal tofay. I informed him that I need – 1) A copy of the **easement document** for stormwater which is council responsibility. 2) Response to the questions in writing I emailed Council on 1/10/24 regarding the proposed **easement.** Council have failed to send a response after 10 days. I put the Council on notice that **I intend to lodge an seeking a court order for BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/24.**

Index

					"Council haven't stated what in fact is in the **easement document** and the subsequent effect on the development" "Is the owner allowed to jump over the easement?" **"The sooner the Council attends to answers to these questions the sooner the matter can be resolved in respect of easements and save everyone's time and CCC costs"** "The judge will take into account when giving the costs orders for all your incorrect stormwater design and fill calculations." Copy of letter 1/10/24. Council on 1/10/24 regarding the proposed stormwater.
	74	Letter to Orr. Piper, Ruhland, Wake, Ting, Gibbs, City Legal	14/10/24	2/30	"In a nutshell, Council is deliberately impacting and denying the ability of the applicant to provide a robust S75 notice representations and/or S230 appeal due to the withholding on the misleading detail of approval conditions" Joel Wake has refused to provide answers verbally or in writing to the following questions. Margaret Orr has refused to provide answers verbally or in writing to the following questions. **"Cross sections and plan view of Council design"** **"Applicant plan view and side elevations of applicant design"** **"Calculations of falls of Council sham stormwater proposal red lne"** Plan view and cross sections provided. "The cross sections and calculations for the Council sham rear block stormwater system design (or no design) is charged under all three scenarios.

Index

					"On this basis, not a teaspoon of fill is required for legal point of discharge"
				P13/30	"2. How was the fall though the development calculated?"
				P13/30	"I have invited Joel Wake to inspect the property with a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn't assessed the stormwater calculations, nor engineering, nor "**easement document** to be prepared by Council"
				P23/30	"Why should an applicant be required to make a S75 or S230 on a sham Council red line that is subject to detailed design?"
					"Is BCC aware that no amount of fill can magically change the height on the site,"
				P26/30	"In contrast to Urban Utilities for a manhole easement to be against the boundary. This was covered in my questions re **easement,** which is still unanswered"
				P29/30	"Lucy Ting on 9/10/24 by telephone has refused to provide answers to these questions and hung up after 60 seconds."
				P29/30	"Should you choose not to respond, this action or nonaction may be taken into account by an Planning Court Judge.
					"I am entitled to responses to all the questions since Council is the author and designer of the stormwater line. Once again, you have boxed myself into extra costs now.
	74	Letter to Sara McCabe, Orr, Wake, City Legal, Ting, Ruhland, Gibbs	21/10/24	P1/5	3) "Can Brisbane City Council provide a statutory declaration signed by Magaret Orr stating that the proposed stormwater pipes and **easement** are not in conflict of the Zone of Influence legislation….."
					"5. Can Brisbane City Council lodge with the Planning Court an affidavit of the consent from Urban Utilities for Brisbane City Council to have an **easement** over the same land that

Index

					Urban Utilities has a statutory **easement** over ?" "6, Could any of the Brisbane City Council Development Services Team advise which person assessed/addressed the design of the private drain to sewerage stub in the proposed **easement** plan and **easement** documentation. "8) Please advise what compaction your **easement** document or standard drawing is calling for…."
	74	Letter to Lord Mayor, Orr, Sara McCabe, Ting, Ruhland, Gibbs, Piper, Wake	24/10/24		**To the Lord Mayor"** **"128 ASHRIDGE RD DARRA DAVID MANTEIT EASEMENT DOCUMENT AND OTHER"** **"128 ASHRIDGE RD DARRA EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24 AND OTHER"** **"Brisbane City Council appears to have no ordinary nor legal representation" You leave me no option but to correspond with the Lord Mayor.** **1) I require the document wording of the easement document, as per your duty of the approval.** "The Planning Court judge will want this material filed now. Time is of the essence. Your failure to provide may be seen as general contempt of the applicant, your ratepayers who will be footing the bill, and the Court judge, since I have asked some 20 questions of the **easement** document many times including of 1/10/24. That is 21 days ago. Silence. Why? Silence. Council is hindering my business, Damages have already been requested in orders for loss of business. "This is why I need to sight the specific wording of the easement. I must identify all **easement** constraints to the construction constraints."

Index

	74	Sat dec letter to Lord Mayor, Sara McCabe, Ting, Piper ,Wake, Ruhland,	25/10/24		**“Extract of court case warning by David Manteit 14/10/24.** **“1) A copy of the easement document for stormwater which is council responsibility."** **“I put the Council on notice that I intend to lodge an seeking a court order for BCC to my questions of 1/10/24, 10/10/24 and 11/10/24.** **List of 8 emails not responded to.**
	74	Letter to Lord Mayor, Sara McCabe, Piper, Gibbs, Ting, Orr,	25/10/24	P1-7	**To The Lord Mayor** **128 ASHRIDGE RD DARRA DRAINAGE PLAN AFFIDAVIT REQUIRED.** **“The sewerage pipe and end cap, in the middle, and crossing ataround 90 degrees of Council proposed stormwater easement"**
	74	Letter to City Legal, Joel Wake	11/11/24		**“The said line is aproximately 55 metres long with 5 pits and multiple kerb adaptors”** **“This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.”** **“In addition, the following is required-** **Surface levels and invert levels of the pits. Cover, pipe diameter.** **Easement document as per S7 approval.** **Name of person who designed the red line and their licenced number”** **S7.4.7** **Underlined in red –** 1. For underground stormwater facilities with or without drainage **easement** terms” a. any proposed works contravening the drainage **easement** terms.

Index

					"The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed. The stormwater line cannot be built as per Council's own guidelines. Council refuse to supply a copy of the **Easement document**, which is a requirement of 7.4.7. Should the information not be provided by Wednesday 13-11-24, David Manteit shall lodge an application to Court for specific performance and damages. Specific performance to supply the said information which currently prevents David Manteit from construction of the red line. I await your response by Wednesday 13-11-24.
		Minutes of phone call meeting with Joel Wake	1/10/24	P6	Wake refused to supply **easement** document to manteit- **Result- no easement doc supplied**
4-12-24	74	Affidavit, 21 pages. Email to Sara McCabe, City Legal, Schrinner Council, Council employees	12/11/24	P2	*"This information has already been requested by Manteit many times, but refused to supply"* 'In addition the following information is "required"- "**Easement** document as per S7 of approval and the constraints of S7.4.7 above."
				P3	"PSP 7.4.7. 1. For underground stormwater facilities with or without drainage **easements**" "*a. any proposed works contravening the drainage **easement** terms."*
				P4	*"Council refuses to supply a copy of the **Easement document**, which is a requirement of S7.4.6.7.* *I await your responses by Wednesday 13-11-24.* *If Council cannot or will not provide the design question information (**Easement**) to satisfy requirements of S7.4.6.7 being*

Index

					Council's own requirements, then the only conclusion is that the red stormwater line cannot be built."
28/1/25	20	Affidavit, 36 pages Correspondence to Council 27-1-24, Pages 1-36.	28/1/25	P16	Description of PSP 7.4.7. "*a. any proposed works contravening the*
				P17	*"An(d) proposed works contravening the drainage* ***easement*** *terms"*
				P24	***"Engineering and Easement information."*** *"No information supplied by Council staff for clashes with Zone of Influence.."* *"Refusal by Council staff to provide details of clashes with Council's own* ***easement*** *requirements, under S7.4.7…..* *(1) For underground stormwater facilities with or without drainage* ***easements****…* *(a) any proposed works contravening the drainage* ***easement*** *terms."*
				P25	*"Conduct of Council Licenced or unlicenced engineers"* *Council refuse to supply engineering information of Council staff to the owner, David Manteit"* *"City Legal refuse to supply site specific easement engineering information of their* ***easement*** *design to the owner, David Manteit".****Result – no easement supplied***
				P26	*"To date, Council refuses to provide engineering information to David Manteit."-* ***Result – no easement document supplied.***
				P32	*"Then David Manteit rings up Council about the* ***easement*** *document" Wake calls me back. I ask him 10 questions and he says he didn't assess – he said call the engineers.* *I said "who are they?" He said "I don't know, their names are on the approval"*
				P32	**Further-** ***"information request".*** *10 paragraphs including -* *"Council engineering for the site specific* ***easement"***

Index

19/11/24	10	Notice of Appeal, Pages 1-21.		P18, S22.	***"Council refuse to supply the easement*** *they are responsible for.* *As per Condition 7 – Grant easements. "As per Council's own requirements in S7.4.7 of the Infrastructure Design Policy S7.*
				P18, S24	*"Council infrastructure Policy".* *"Council is responsible for disclosure to the appellant of all engineering information"*
				P18, S25	***"Council or other works to contravene the easement".*** ***Since Council refuse to supply the easement, the stormwater line cannot be built"***
				P19, S25	*S7.4.7…..* *(1) For underground stormwater facilities with or without drainage* ***easements****…* *(a) any proposed works contravening the drainage* ***easement*** *terms."*
				P19, S27	*"The letter from the applicant to the Council on 1/10/124 and 14/10/24 describes all the reasons why the stormwater pipe cannot be built.* *Since the* ***easement*** *document will not be supplied, by City Legal, the stormwater pipe cannot be built."*
19/11/24	11.	Grounds of appeal.	19/11/24	P24	*S7.4.7…..* *(1) For underground stormwater facilities with or without drainage* ***easements****…* *(a) any proposed works contravening the drainage* ***easement*** *terms."*
				P25	**"Contravening Council's easement terms"** ***"On 1/10/24 the applicant sent Council a request for a copy of the easement as prepared by City legal. Council refuse to provide same?"***
				P36	*"a. any proposed works contravening the drainage* ***easement*** *terms."* *"Council's own S7.4.7 conflicts with building near or over underground stormwater infrastructure"*

Index

				P41	*"9 **Easement** document terms unknown or sighted".* *The terms of the Council proposed **easement** document are unknown due to Council refusing to supply a copy of since requested on 1/10/24 and the conditions will probably cause the stormwater pipe to conflict with engineering requirements from the sewerage pipe or retaining wall or Small Lot Code. Council are to prepare this **easement.*** *Council refuse to provide or discuss the terms of this **easement.** This plan is dishonest.* *The questions have been raised to Council in letter dated 1/10/24. Action – Council to remove."*
				P42	***(Easement)** "Prepared by the Brisbane City Council, free of cost to the Council.* *"Letter dated 1/10/24 from David Manteit to Brisbane City Council"*
				P43	Letter to Council 1/10/24. **"Easement** document. *Questions 1-11.* *"I request BCC to provide the answers by 12pm, tomorrow, 2-10-24.*
				P44	Letter to Council 1/10/24 regarding the **easement** – *Questions 12) to 18)*
				P45	Letter to Council 1/10/24 regarding the **easement** – *Questions 19) to 27).*
				P45	"it is stated in the approval that Council will prepare the **easement document**. This is your responsibility, not mine.
				P45	*"Above – extract of letter to Council letter to Council from Manteit 1/10/24*
19/11/24	12	Affidavit, Pages 1-20.		P2,S3	*3. "The stormwater pipe cannot physically be constructed" I state that I physically cannot commence subdivision works nor complete the approved plan to plan sealing for 128 Ashridge Rd Darra due to Council withholding information necessary to complete."*
				P2, S4	*"4. Council impediment to completing works. I state that I have never had a case where I have had an impediment to completing works for a subdivision to sealed plan due to Council sham design and refusal to answer any questions on their sham design."*
				P3,S6	*"Council refuse to supply **easement***

Index

					documentation…. I cannot recall any problem with Council supplying ***easement documentation*** *in the past"*
				P3,S8	*"Normal past responses by Council regarding stormwater".* *"I state that it is not normal for a Council to hinder the supply of information on their own engineered plans."*
				P4	*"Council refuse to supply information.* ***(Easement)****. Therefore I cannot proceed with completing development requirements for plan sealing unless Council unless Council supply information"*
				P4	*"No applicant engineer can design the stormwater pipe due to…* *"Unknown Council* ***easement*** *requirements. Refusal by Council to supply"*
				P5	"Council refuses to supply" (**Easement** document)

Background

Condition 7 of the DA approval dated 25-9-24

Manteit firstly requested the easement document on 1/10/24 from the unlicenced Council employees, Schrinner's Council and City Legal. Ther has never been a response.

The date of 1/10/24 was some 50 days before the Notice of Appeal date 19/11/24.

Council and Council employees had 50 days to come clean on their flooded pipes.

The Schrinner Council, Cr Schrinner and Dr Freeman took the gamble and tried to protect the corrupt (as alleged by the Crime and Corruption Commission) Schrinner Council employees and the reputation of Schrinner Council Cr Schrinner and Dr Freeman.

The Crime and Corruption Commission have examined much information and decide that there was sufficient evidence to determine evidence of systemic corruption.

Cr Schrinner and Dr Freeman have not fully or formally responded to the Crime and Corruption Commission allegations, CCC file number dated 17-9-25, filed 14-1-26.

All the Respondents, including 7 unlicenced Council employees were warned up to 150 times by Manteit prior to the Notice of Appeal.

Manteit could not construct the pipe due to -

- Unknown surface and invert levels of the pits and pipe

Index

- The unlicenced Council employees knew the pipes were flooded 1.2m below Ashridge Rd, since 1/10/24.
- Engineering conflict as per PSP7.4.7
- Damages would be claimed by Manteit from the unlicenced Council employees and Schrinner's Council.
- Warning of jail time would apply from charges arising out of corrupt conduct under S15 (1) of the Crime and Corruption Commission.

None of those parties have ever responded to Manteit's queries.

All parties agree that the unlicenced Council employees are flooded.

It has bee accepted by Susan Hedge and Schrinner Council that the Upstream Drainage pipes could not have been designed and constructed anywhere else on the block, due to being generally in accordance with the flooded non-RPEQ Upstream Drainage line.

In further pages xxx to xxxx, Manteit has provided evidence of advice to Schrinner's Council, unlicenced Council employees and City Legal.

The number of pages where the word "Easement" is required or referred to 41 pages.

Number if times "Easement" mentioned 56 times in material.

The easement document was only supplied to Manteit when forced by Judge Williamson KC to supply.

Consequence of Corrigan placing easements across the land.

Schrinner's Council, Dr Freeman and Corrigan knew that placing easements across the front of my block would stop all services being connected including -

Water supply
NBN in ground cable
Sewerage waste connection
Underground power supply

There would be no possibility of Manteit sealing the subdivision plan, one into two lots.

This action by Schrinner's Council to support Corrigan is contempt of court, as it is on such a level the Court has no option but to find this action contempt of court.

Susan Hedge knew of the tactic.

His Honour Judge Williamson KC –

Index

Judge Williamson KC **30-4-25 JW comments about the Upstream red lines**

And then during the appeal, the council has taken a step back from that and said rather than, us tell you what the solution looks like, here is a condition that allows you to demonstrate whatever option you like achieves compliance with the planning scheme in circumstances where we will say to the court that you can be satisfied there is a solution, it's just a matter of detail.

Susan Hedge

That is true but could I add this that the council's position is that the removal of the red line really had no effect because what was required by the condition was to be generally in accordance with the plan which had the red line on and then the red lines indicated to be indicative so our position is that many many stormwater options including pipes going straight through the middle of the lot rather than around the edge would have been generally in accordance with because of the purpose of the condition and the line, taking them together, is to provide upslope drainage connections.

So where the pipe runs isn't really the point.

The point is to provide the upslope connections if they're provided with a pipe that runs in a different line.

And so rather than having that dispute in this trial, we've removed the red line, because the red line has become a matter of fixation and distraction. So, but it's not accepted by the Council that the red line was inappropriately put on the plan or any of those aspects.

Judge Williamson KC

Sorry, I'm not suggesting it, but I have to say, I'm not sure it's as fluid.

It has fluidity, but I'm not sure the red line, by calling it indicative and generally in accordance, in effect opened the door to a whole array of solutions.

And the reason I say that is because generally in accordance with would be assessed by reference to the consequences of the change.

And the consequences of the change made it more difficult for easements, and the like. That would be a reason why a solution, even though it worked, would not be generally in accordance with the indicative line shown on the plan.

I don't think it's as easy as saying, look, this is one way, but if you don't do that, there's many other ways.

Because as soon as a line is drawn on a plan and generally in accordance with, unless there's something in the condition that makes it very clear, and I don't think indicative in and of itself gives much more than generally in accordance with.

There's some flexibility, but it's not open slather.

Susan Hedge

I accept that.

Index

Pit	1	2	3	4	5	Cross check	
Pipe Length		16.370	6.060	29.500	3.750		
SL at boundary	36.700	35.650					
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL used for Pit	37.000	35.750	35.250	35.853	35.250		
New start of line invert level brought forward		36.175	34.925	34.425	33.898		
(B) Min depth - pipe 225 and and cover 600	0.825						
(C) Min Invert level depth	36.175					36.175	
Min one degree fall		0.291	0.108	0.524	0.067	-0.988	
(D) Invert level end of line without min cover		35.884	34.817	33.901	33.831		
(E) Prima facie depth (needs to be + .825, + 250 (kerb)		-0.134	0.433	1.952	1.419		
Distance the pipe needs to be lowered by to be not charged.		0.959	0.392			-1.352	
Adopted Min pit invert level 225 pipe and cover 600 carried forward		34.925	34.425	33.898	33.831	33.835	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres					-1.269		

"enable lawful point of discharge for the proposed lots to Ashridge Road kerb and channel"

The invert level at kerb as per the BCC approved plan is 35.100. This was arrived at by the applicant using his laser level in conjunction with the surveyor kerb site datum of 36.303.nThis took me all of 60 seconds, as both marks are only some 10 metres away from each other and both on the kerb.

As of date of this letter, Council is invited to get their own kerb levels anytime. You own the land. I have already invited Joel Wake to inspect a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn't assessed the stormwater calculations, nor engineering, nor "easement document to be prepared by Council"

Given required one degree fall, a minimum of AHD 35.166 invert level is required at the boundary.The invert level at the boundary is proposed AHD 35.166.This level will command the the existing site levels for both Lot 1 and Lot 2 without the placement of any fill. There is no point on the block that is lower than AHD 35.166, except he right back corner of 35.162.

It is proposed to leave all remaining areas outside of the building pad to be untouched.This levels at the rear of the usable pad are already average 1:6. But that is irrelevant since they will be untouched.

There are hundreds of examples of approved plans where a pad level is provided to BCC and accepted as a usable pad for stormwater and building purposes. This pad is

Letter to Council/City Legal 10-10-24

Index

In the Planning and Environment Court — No 2916/24

Held at: Brisbane

Between: **David Manteit** — Appellant

And: **Brisbane City Council** — Respondent

Court document 15 filed 4-12-24

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under ~~oath~~/affirmation says –

1. I attach Exhibit "A" of correspondence. paginated 1-36

Signed:

Deponent

Taken by:

Justice of the Peace

~~Sworn and~~ affirmed by David Manteit on 4/12/24 at Richlands in the presence of:

Deponent

KENNETH GEOFFREY FINNEY

Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED) QUEENSLAND Reg.No.: 11655 DEPT. OF JUSTICE & ATTORNEY-GENERAL

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Index

Planning and Environment Court

Manteit V Brisbane City Council

Exhibit "A"

1. Email to Council 1/10/24
2. Email to Council 10/10/24
3. Email to Council 16/10/24
4. Email to Council 25/10/24

"Email to Council 1/10/24".

Court document 15

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 11655 DEPT. OF JUSTICE & ATTORNEY-GENERAL

Deponent _____ Justice of the Peace _____

Index

Sara McCabe withheld easement information.

1/10/24 (2)

12/2/24, 9:00 PM 128 AHRIDGE RD DARRA A 006565555 - david manteit - Outlook

Outlook

128 AHRIDGE RD DARRA A 006565555

From david manteit <davidmanteit@hotmail.com>
Date Tue 1/10/2024 6:00 PM
To sandra.piper@brisbane.qld.gov.au <sandra.piper@brisbane.qld.gov.au>
Cc tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; scottrohland@brisbane.qld.au <scottrohland@brisbane.qld.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>

Dear Sirs

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots to preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane C Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

7(b) Submit Plan of Subdivision and Documentation (other Easement) What other easement ? BC incor

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

I request that BCC respond to my request to the following in relation to S 7 of the approval dated 25-9-24 (not yet received by me from an assessment manager).

Council never gave myself, as applicant, an information request requiring myself as applicant to design a stormwater pipe. Council has taken it upon themselves
to provide a half baked red line on a plan of subdivision, without any details. You designed it. I did not.

Council did not provide this plan as prepared by them prior to final approval.

I contend that is laziness and incompetence by the Council.

This action has reduced and eliminated the time afforded by the applicant to respond with the timely analysis and response by private RPEQ consultants.

The Council has already defaulted in not providing the decision on or prior to 35 business days. You had all this time but still couldn't be bothered to provide an information request. A monetary compensation will be vigorously pursued by myself in the coming days.

The Planning Court will see BCC actions as lazy and incompetent.

My initial assessment of the BCC designed stormwater plan is that -

- Council stormwater plan does fot work, for many reasons. This shall be revealed after you provide answers to the following questions.

- There are no "upstream lots" or "upstream owners" to the subject site. In addition, there is no terms in the City Plan 2014 of these descriptions.

Council have invented and designed the stormwater pipe and prepared the plan themselves, so the onus is on BCC to to provide answers to the following questions.

I request BCC provide the answers by 12pm, tomorrow, 2-10-24

Time is of the essence , as per the Planning Act 2016, and the Planning and Environment Court.

Easement document.

1) Please provide proposed **surface levels and invert levels** of the 225mm stormwater pipe.

about:blank 1/6

Court doc 15 filed 4-12-24

Index

3

2) Please provide **cover distance above, below, left and right** of the 225 stormwater pipe. Note any requirements below that may affect this cover d
distance.

3) Is there restriction for **other stormwater pipes**, besides the BCC pipe, such as house stormwater pipes. If there are no restrictions

4) Is there restrictions in the easement document for **other services** such as NBN, power, water supply copper pipes.

5) Is there restriction for **existing retaining wall above ground** as to the component inside the boundary.

6) Is there restriction for **existing retaining retaining wall footings below ground** as to the component inside the boundary.

7) Is there restriction for any **future retaining wall** above ground as to the component inside the boundary.

8) Is there resriction for around 300mm **drainage gravel** required by retaing wall engineered design.

9) Is there restriction for a **fence above retaining wall** in relation to that part inside the boundary

10) Is there a restriction for **vegetation** to be planted in the easement.

11) Is there a restriction for a **concrete slab pathway** in the easement. Note that the design for this may not be possible as it would be regarded as a floating slab for engineering purposes.

12) Is there a requirement in the easement for good **maintenance** by BCC or the owner.

13) What hours of the day can BCC **inspect** their easement.

14) What is the proposed **type of surface** of the easement. This needs to be imperveous.

15) Please provide **engineered drawings** for the top imperveous surface of the easement.

- Please advise how **thick** this surface would be.
- Please provide what **material** the surface is. If this is proposed to be concrete, please provide what MPA.
- Please provide what size **mesh** to be used, if one or two layers, F62 or F72,
- Design of **spoon drain** to carry water away from the imperveos surface and legal point of discharge for the imperveous surface.

16) Please provide **depth of spoon drain.**

- Please provide minimum **slope** of imperveous surface both in direction of travel and accross.

Please provide crosssection of the above, for clarity. This information affects surface levels and invert levels.

17) Please provide any **restrictions** of the easement in any way, shape or form.

18) Please provide any other requirements of any restriction.

19) Is there a **guarantee** that the Council will repair a broken stormwater pipe that could cause water under the house slab, cracking of the house slab, and perhaps an inhabitable house.

20) Does the easement document provide for solutions under the **Queensland Development Code.**

21) Can the easement be used by the occpupant for **fire escape purposes** as part of a fire safety management plan.

22) Is a fence required for the easement.

23) Can a carport without footings in the easement be built over stormwater easement.

24) Does the easement allow for a toe footing as per BCC standard footings design.

25) Is a stormwater maintenance hole required. This will affect invert level heights.

26) Does the easement restrict distances to retaining walls and houses. See Queensland Development Code example.

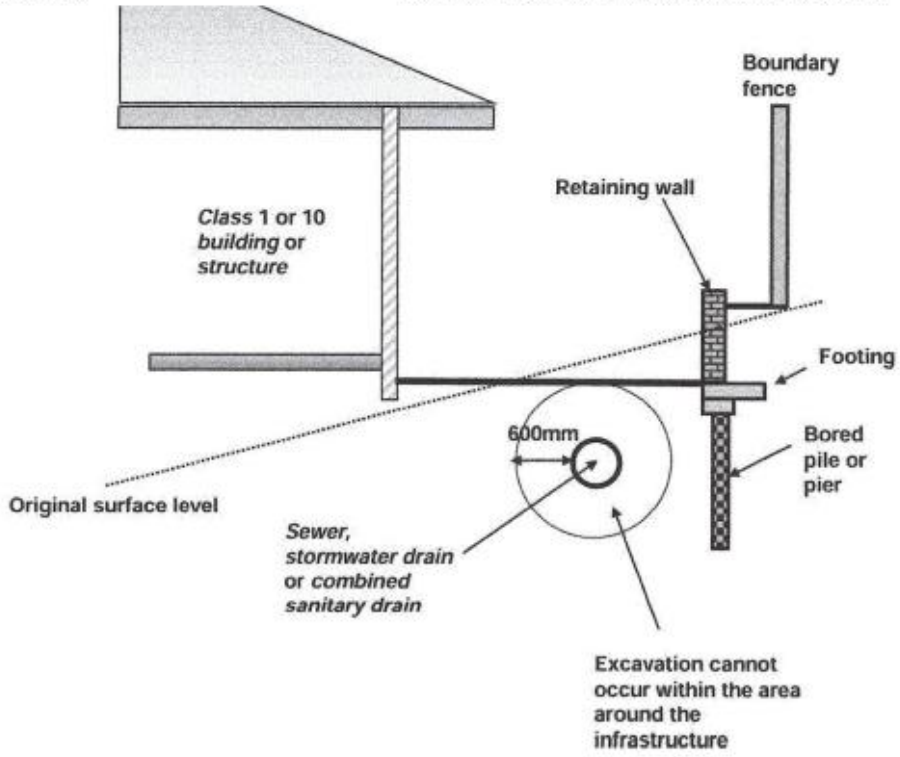
Court doc 15, filed 4-12-24. Easement letter 1/10/24 to Council, City Legal

Sara McCabe withheld this information.

Index

Court doc15, filed 4-12-24 Easement document never responded to by Schrinners Council, Council employees, City Legal.

(4)



27) Please respond as to what "other easement" means. Is this BCC incompetence ?

The above list is not an exhaustive list. There will be more questions.

If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the court to consder this action and to take into account any costs of the case.

It is stated in the approval that Council will prepare the easement document. This is your responsibility, not mine.

Please provide by 5pm today responses to the above questions and the following -

- **wording and**
- **all plan view and**
- **cross sections front, back, left, right that take onto account all of the above.**

Assessment Manager

Please advise who the assessment manager for Planning Act definition , S60 purposes
is for the application. There was a person today on the phone whi states his name as Joel wake who
said he is the assessment manager but on the only correspondence provided by him on 26-9-24 it says he is a
Senior Urban Planner.

On Development I it says he is a development officer. I have previously this question in writing many times
who is the Planning Act assessment manager. No response
from BCC so far. This may affect the interest charges to BCC coming shortly.

It is best you appoint another person for your phone calls, instead of someone who ducks and weaves,
emotionally unstable in my opinion. He refuses to answer any questions whatsoever, harrases the applicant without myself
calling him. An intelligent, experienced person does not act like this way.

Assessment

Is there any reason why the decision has or isn't decided by an assessment manager on the 35th business day
after Properly Made date?

Your response will determine my final invoice.

Index

5

22 Decision period - generally

22.1 The assessment manager must—

(a) assess and decide the application within 35 days (**decision period**) in accordance with section 60 and 61 of the Act[17], or a further period agreed between the assessment manager and the applicant, from the end of the last relevant part in section 21[15]; and

(b) subject to section 22.2, give a decision notice in accordance with section 63 of the Act within 5 days of deciding the application.[18]

63 Notice of decision

(1) The assessment manager must give a decision notice about the assessment manager's decision

(a) the applicant; and

Application Number:	A006565555
Full Description:	128 ASHRIDGE RD DARRA QLD 4076 - Reconfigure a Lot - Manteit, David John Leslie (Primary Applicant), Manteit, David John Leslie (Consultant)
Land Parcel Status:	Lodged over current land parcel
Progress:	Decided
Stage/Decision:	Approved
Application Type:	Reconfigure a Lot
Assessment Level:	Code
Use:	Subdivision of Land;
Assessment Officer:	Joel Wake
Date Submitted:	12/7/2024
Date Decided:	25/9/2024

Court doc 15, filed on 4-12-24.

Index

Court doc 15 Filed 4-12-25

6

Yours sincerely

Phone call to Joel Wake 1/10/24.

Joel Wake
Senior Urban Planner
Planning Services South
Phone: (07) 3178 7467
Email: joel.wake@brisbane.qld.gov.au
Development Services
Brisbane City Council

Wake refused to answer questions on the easement document.

Today's phone call.

Today, I requested by telephone to the receptionist to talk to the City Legal Team.

I have not had a response by that legal team. Please get them to respond by 10am tomorrow, 2/10/24.

A person who identified himself as Joel Wake, I did not call him, He called me.

I asked him several questions -

Please provide the easement document wording proposed. He said "thats down the track"
I said "no, it's now. I need to assess BCC red line now"

What part of a retaining wall can be in the easement.? Existing and future ?
What part of a retaining wall footings can be in the easement.? Existing and future ?
Does he know the surface and invert levels proposed by BCC ?
What type of surface is the easement proposed to be by the BCC ?
Can services be placed in the easement?

Have you checked the easement pipe for falls ?

Wake said he didn't know that answer to any of my questions.
I said "Surely, you state that you are the assessment manager, but you have no knowledge of these items?"

I asked Wake if he assessed the stormwater pipe. He said no. He said "You should contact them. They will tell you"
I asked "Who are they ?"
He said "They are listed on the approval package"
I asked "what are their names, they are not called They"
Wake did not know their names.

I asked Wake "who is the assessment manager for Planning Act purposes? " He said "I am the assessment manager"
I said "there is no written document showing you as the assessment manager, or anyone else" Wake said "It's on the letter I sent you 26-9-124" Joel has lied here, yet again, since there is no reference to an Assessment Manager in that letter. See below.

Wake said "I am wasting his time in this phone call."
I said "You called me, I didn't call you. Whilst you are on the phone, can you please answer some questions?
It may be wasting your time, but it's imprtant to me, and it's not wasting my time. Your time is being wasted"

I asked Wake again "Have you assessed the stormwater pipe if you are the assessment manager?"

He said "No, other people have assessed it, not me"

"I have no idea"

Regards

David Manteit

Manteit - "please provide a copy of the easement document" Wake withheld the document.

Index

7

CEO
0424 739 923
howtowineveryday.com.au

Court document 15, filed 4-12-25.

Letter to unlicenced Counci employees, Council, City Legal on 1-10-25

Around 26 questions no reponse.

Minutes of meeting with Joel Wake. He rang me. He refused to supply the easement document.

Wake refused to supply invert levels.

No response to date by anyone.

In addition, Sara McCabe has withheld easement documentation.

Index

Court document 14, filed 4-12-25

In the Planning and Environment Court No 2916/24

Held at: Brisbane

Between: **David Manteit** Appellant

And: **Brisbane City Council** Respondent

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under oath/affirmation says –

1. I attach Exhibit "A" of correspondence, pasinated 1-21

Signed: Taken by:

Deponent Justice of the Peace

Sworn and affirmed by David Manteit on 4/12/24 at Richlands in the presence of:

Deponent

KENNETH GEOFFREY FINNEY
Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 116757 DEPT. OF JUSTICE & ATTORNEY-GENERAL

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Index

Court doc 14, filed 4/12/24

In the Planning and Environment Court — No 2916/24

Held at: Brisbane

Between: **David Manteit** — Appellant

And: **Brisbane City Council** — Respondent

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under oath/affirmation says –

1. I attach Exhibit "A" of correspondence, paginated 1-21

Signed: Taken by:

Deponent Justice of the Peace

Sworn and affirmed by David Manteit on 4/12/24 at Richlands in the presence of:

Deponent

KENNETH GEOFFREY FINNEY
Justice of the Peace

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 116??
DEPT. OF JUSTICE & ATTORNEY-GENERAL

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Index

Planning and Environment Court

Manteit V Brisbane City Council

Exhibit "A"

1. Email to Council 12/11/24
2. Email to Council 21/11/24
3. Email to Council 22/11/24
4. Email to Council 26/11/24
5. Email to Council 26/11/24 (2)
6. Email to BCMT 24/11/24
6. Email from Sara McCabe to Manteit 25/11/24

Court document 14, filed 4-12-24

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 11695 DEPT. OF JUSTICE & ATTORNEY-GENERAL

Deponent

Justice of the Peace

Index

Court document 14.
Filed 4-12-24

12/4/24 (2)

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

12-11-24

Letter 12-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Sara McCabe
City Legal
Joel Wake
Zarndra Piper
Tom Gibbs
Scott Ruhland
Lucy Ting
Margaret Orr

Sara McCabe
City Legal
Unlicenced Council employees

Dear Sirs and Madams

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

I require the Council to provide explanation of how the Council requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit many times, but refused to supply.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval and the constraints of S 7.4.7 above.

Crosssection of proposed trench

Build over sewer consent.

Vibration and compaction details.

McCabe withheld the Easement document.

Index

Letter 12-11-24

3

Name of Council person who designed the red line and their licence number.

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. plashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

Court document 14, filed 4-12-24

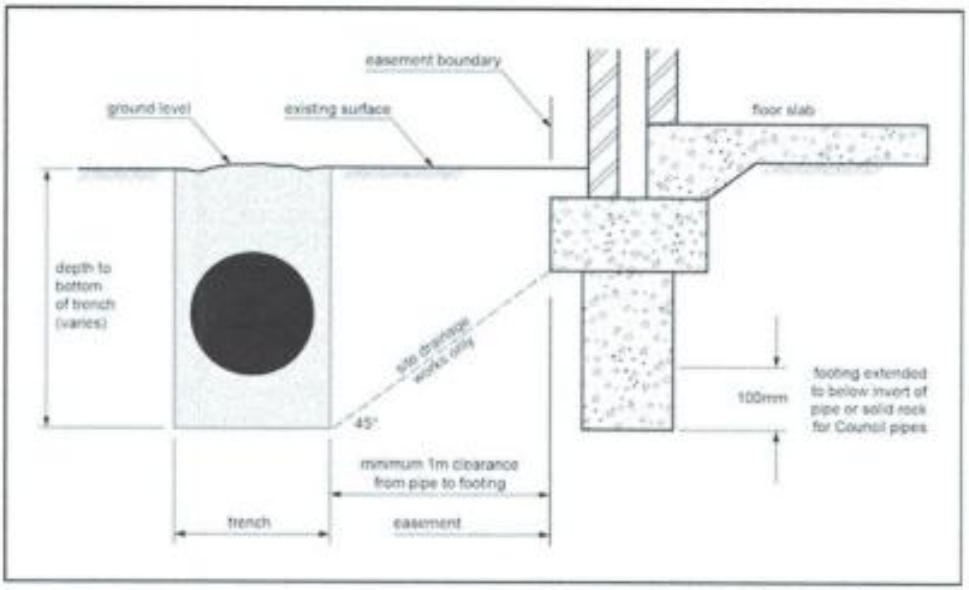


Figure 7.4.7a—Building near and over stormwater and subsoil drains

Index

Letter 12-11-25

Court document 14, filed 4-12-24

The delegate Mr Joel Wake did not make an information request to David Manteit to prepare a stormwater plan for 128 Ashridge Rd Darra, as he did on the case of 143 Wakefield St Bald Hills, on 4-4-18.

The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed. A separate legal notice has been issued today for separate court action. That notice will no doubt be ignored as past warnings have not been acknowledged. That is Council's policy, as per Sara McCabe advices.

Please ensure that Council addresses all items underlined above.

The Stormwater line cannot be built as per Council's own guidelines.

Council refuses to supply a copy of the **Easement document**, which is a requirement of 7.4.7.

I await your advices by Wednesday 13-11-24 .

If Council cannot or will not provide the design question information to satisfy the requirements of S7.4.6.7 being Council's own requirements, then the only conclusion is that the red stormwater line cannot be built.

If that is the case Council should remove the red line and conditions forthwith as a S 230 appeal is a waste of time for everyone concerned.

Council have made many blunders including fill requirements. The list of blunders is endless.

This topic is approximately ten of about 20 different arguments as to why the so called red line cannot be built, even if one wanted to.

These requirements and questions are asked in the ordinary course of business. This letter may or may not form part of a future S 230 appeal.

Regards

DAVID MANTEIT

Manteit - "Council refuses to supply a copy of the Easement document".

"Council designed the red line. The Council is therefore responsible for the red line not being able to be constructed. A separate legal notice has been issued today"

Index

Court doc 15 Filed 4-12-25

6

12/2/24, 9:00 PM 129 AHRIDGE RD DARRA A 006565555 - david manteit - Outlook

Yours sincerely

Letter 12-11-24

Phone call to Joel Wake 1/10/24.

Joel Wake
Senior Urban Planner
Planning Services South
Phone: (07) 3178 7467
Email: joel.wake@brisbane.qld.gov.au
Development Services
Brisbane City Council

Wake refused to answer questions on the easement document.

Today's phone call.

Today, I requested by telephone to the receptionist to talk to the City Legal Team.

I have not had a response by that legal team. Please get them to resopnd by 10am tomorrow, 2/10/24.

A person who identified himself as Joel Wake. I did not call him. He called me.

I asked him several questions -

Please provide the easement document wording proposed. He said "thats down the track"
I said "no, it's now. I need to assess BCC red line now"

What part of a retaining wall can be in the easement.? Existing and future ?
What part of a retaining wall footings can be in the easement.? Existing and future ?
Does he know the surface and invert levels proposed by BCC ?
What type of surface is the easement proposed to be by the BCC ?
Can services be placed in the easement?

Have you checked the easement pipe for fails ?

Wake said he didn't know that answer to any of my questions.
I said "Surely, you state that you are the assessment manager, but you have no knowledge of these items?"

I asked Wake if he assessed the stormwater pipe. He said no. He said "You should contact them, They will tell you"
I asked "Who are they ?"
He said "They are listed on the approval package"
I asked "what are their names, they are not called They"
Wake did not know their names.

I asked Wake "who is the assessment manager for Planning Act purposes? " He said "I am the assessment manager"
I said "there is no written document showing you as the assessment manager, or anyone else" Wake said "It's on the letter I sent you 26-9-124" Joel has lied here, yet again, since there is no reference to an Assessment Manager in that letter. See below.

Wake said "I am wasting his time in this phone call."
I said "You called me, I didn't call you. Whilst you are on the phone, can you please answer some questions?
It may be wasting your time, but it's imprtant to me, and it's not wasting my time. Your time is being wasted"

I asked Wake again "Have you assessed the stormwater pipe if you are the assessment manager?"

He said "No, other people have assessed it, not me"

"I have no idea"

Regards

David Manteit

Manteit - "please provide a copy of the easement document" Wake withheld the document.

about:blank 5/6

Index

Court doc 20. Letter 27-1-25

AFFIDAVIT

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

I, David Manteit of 82 Rowe Tce Darra, developer, under affirmation says:

Attachment "A" Correspondence to Council 27-1-25, pages 1-36.

Signed:

Deponent: DAVID MANTEIT

Affirmed by David Manteit on

Signed:

Deponent: DAVID MANTEIT

Taken by:

Justice of the Peace 28/01/2025

In the presence of PETER SPENSER WILLIAMS JP (Qual)

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 11619 DEPT. OF JUSTICE & ATTORNEY-GENERAL

28/01/2025

C/- JP Branch
Lvl 6/154 Melbourne Street
South Brisbane QLD 4101
Ph: 1300 301 147
E: jp@justice.qld.gov.au

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
Ph 0424739923
Email davidmanteit@hotmail.com

Index

Planning and Environment Court

David Manteit V Brisbane City Council 2916/24

Attachment "A" referred to in the Affadavit of David Manteit

Correspondence to Council 27-1-24, Pages 1-36.

JUSTICE OF THE PEACE (QUALIFIED) Reg.No.: 11619 DEPT. OF JUSTICE & ATTORNEY-GENERAL

28/01/2025

Court doc 20, filed 28-1-25

Letter to Council 27-1-24

Index

Court doc filed 20, filed 20-1-25

7.6.5 Provision of drainage for future upslope development of a neighbouring property

(1) Provision must be made for the future orderly development of adjacent properties with respect to stormwater drainage where at least part of those upslope properties would drain through the development, or the most feasible location for stormwater drainage infrastructure to service those properties is within the development.

(2) If a piped drainage connection is provided for up-slope development, the drainage infrastructure must fully extend to the boundary of the up-slope site to ensure that the up-slope property owner does not have to undertake works in the down-slope property to connect to this stormwater infrastructure.

(3) Where a pipe is used to facilitate an up-slope stormwater connection (now or in future) the minimum pipe size is 225mm nominal diameter for any development. This stormwater pipe must be connected to a lawful point of discharge.

(4) The development is to design any up-slope stormwater connection for fully developed catchment flows.

S 7.6.5 Provision of drainage for future upslope development of a neighbouring property.

"Where at least part of those upslope properties would drain though the development"

Whilst not stated, BSD 8111 is the applicable BSD for pipe size, gradient, cover.

S 7.4.6 Building near or over underground stormwater infrastructure

7.4.7 Building near or over underground stormwater infrastructure

(1) For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
(a) any proposed works contravening the drainage easement terms;
(b) any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
(c) any building work proposed over the stormwater drainage or maintenance holes;
(d) any proposed works that will affect the structural integrity of the drainage or its trench;
(e) proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
(f) proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
(g) proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
(h) proposed driveways or concrete pavements over maintenance holes or property connections;

30-4-25 Susan Hedge said she had instructions that Council pipe can go "in the middle of the lot' (ie, under houses). Dumbo Susan Hedge didn't realise that house footings would destroy the hydraulic pipe.

Index

Court doc 20, filed 20-1-25

(i) clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.

(2) When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.

(3) The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:

(a) 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;

(b) 1m clearance applies to bored piers;

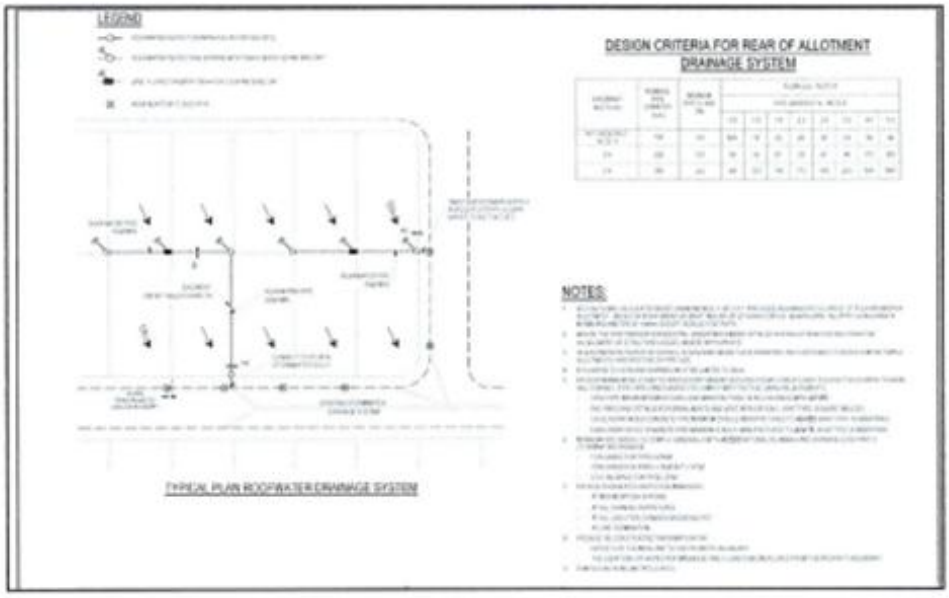
(c) 6m clearance applies to driven, vibrated or jacked piles.

(4) Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.

(5) When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

"1m clearance applies to bored piers (eg, retaining wall).
"An propsed works contravening the drainage easement terms"

Step 4 – Examine Brisbane Standard Drawings.



BSD 8111

"An proposed works contravening the drainage easement terms"

Index

Court document 20, filed 28-1-25

2 pits placed 4 metres away from the boundary of the blocks. Not compliant with BSD 8111.

Threre has been no engineering information supplied regarding the clash of Council easement terms affecting construction, accesss and maintenance of the pipes.

Pits are 4m away from the lot boundary.

150 pipe instead of min 150 pipe.

Fill

Council requires fictitious fill

Other items as per list on pages 4-7.

Engineering and Easement information.

No information supplied by Council staff for clashes with Zone of influence and retaining wall, sewer pipe, I/O. QDC MP 1.4 Zone of influence leglisation

Refusal by Council staff to provide details of clashes with Council's own easement requirements, under

S 7.4.7. Building near or over underground stormwater infrastructure.

7.4.7 Building near or over underground stormwater infrastructure

(1) For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
(a) any proposed works contravening the drainage easement terms;
(b) any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
(c) any building work proposed over the stormwater drainage or maintenance holes;
(d) any proposed works that will affect the structural integrity of the drainage or its trench;
(e) proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
(f) proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
(g) proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
(h) proposed driveways or concrete pavements over maintenance holes or property connections;

"Engineering and Easement Information.
No information supplied by Council staff"

Index

Court document 20, filed 28-1-25

(i) clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.

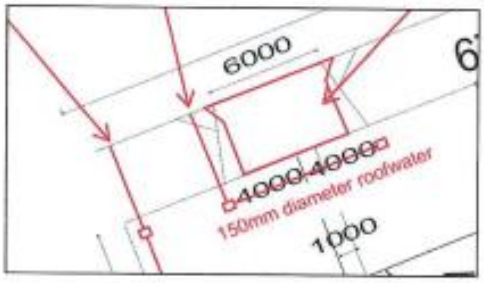
(2) When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.

(3) The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
(a) 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
(b) 1m clearance applies to bored piers;
(c) 6m clearance applies to driven, vibrated or jacked piles.

(4) Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.

(5) When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

Driveway



unsatisfactory professional conduct, for a registered professional engineer, includes the following—

(a) conduct that is of a lesser standard than that which might reasonably be expected of the registered professional engineer by the public or the engineer's professional peers;

(b) conduct that demonstrates incompetence, or a lack of adequate knowledge, skill, judgement or care, in the practice of engineering;

(c) misconduct in a professional respect;

(d) fraudulent or dishonest behaviour in the practice of engineering;

(e) other improper or unethical conduct.

vehicle—

4000 + 4000 = 8000, as per applicant design. The red Council DTS staff lines of 6000 wide are mutually exclsive with total 8000, which is untouched. Incompetent engineering of a lesser standard

Red lines drawn by Council DST staff for driveway are inconsistent with applicant' s design of 4000 + 4000 = 8000 at boundary. Typographical error.

Typographical errors littered all over the approval, in S 7,12,17,18,24.

These intentional typographical errors demonstrate complete and utter unsatisfactory professional conduct, by a registered engineer, under Schedule 2 and S 115 of the Professional Engineers Act 2002.

Conduct of Council licenced or unlicenced engineers

Council refuse to supply engineering information of Council staff (DST) engineering to the owner, David Manteit.

City Legal refuse to supply site specific easement engineering information of their easement design to the owner, David Manteit

The CCC, as advised in the 2020 brochure, look firstly to see whether there has been an offence.

Index

Court doc 20, filed 28-1-25

To date, Council refuses to provide engineering information to David Manteit. The communication aspect or lack therof, is in my opinion, misconduct, and penalties should apply. The same thing will happen in the future to each and every owner of this property.

A problem is, that when Council perform engineering design that is incomplete, wrong, or does not comply with Council's own engineering laws, an owner is forced to make a S81 minor change.

A major problem is that nobody know what the surface levels and invert levels are. So what exactly needs to be changed ? Nobody knows. Council staff are hiding, and this is therefore engineering misconduct under S115 of the Professional Engineers Act.

Because of the massive blunders by the Assessment Team this may not be considered a minor change, and may be a major change, and then a Court Case ensues, costing the owner hundreds of thousands of dollars. All because of Council's unsatisfactory professional conduct, of a Professional Engineer as per Schedule 2 and S115 of RPEQ Act 2002.

The above aspects of misconduct may carry through to a S 15 (1) of the CCC for corruption.

Planning and Environment Court conduct.

His Honour Judge Williamson, KC, in the Planning and Environemt Court in November issued a verbal request to Council's Counsel for the author of the red stormwater lines to be present at an ADR conference between the parties, in December 2024. Council's Counsel disobeyed that request.

On the face of it, this conduct would add up to further unsatisfactory professional conduct, and possible S 15 (1) of the Crime and Corruption Act 2001, being misconduct by Council attempting to yet again hide engineering information.

There has been alleged by David Manteit, on many occasions of alleged misconduct of Sara McCabe, who has made contradictory statements in affidavits and statements. On 1/11/24, Sara McCabe filed an affidavit stating that the Council had not yet decided the Development Application, when it in fact was decided on 25/9/24.

In another statement by Ms MCCabe, she stated that the Development Approval was given to Manteit on 25/9/24, when Council's own staff and my own proof state that the DA was given to Manteit on 26/9/24.

In addition, Sara McCabe refused to spell my name correctly in the Planning Court order on 12/12/24, signed by the honourable judge and filed by the Deputy Registrar.

Sara McCabe blunder may have affected the reputation and good name of the honourable Judge, the Deputy Registrar, and the Planning Court itself. That is entirely up to those parties affected by her actions, on how they wish to deal that matter. I do not for one moment speak for any other parties other than myself and do not intend to influence what further orders may or may not be ordered on this matter, for their purposes.

The blunder has certainly affected my reputation, as this is a public document, and I certainly intend to seek disciplinary orders, independent of any possible order which may or may or may not be the same as any other or no order by the Court for their own purposes. Either way, action must be taken. Sara McCabe is an officer of the Court and needs to comply with the Law Society rules of Conduct. She has had 46 days to act on this intentional or not intentional mistake.

Index

Court doc 20, filed 28-1-25

In 4 Killarney Ave Darra subdivision Joel Wake made an information request, but 500 metres around the corner refuse to make an information request ? Conduct to be investigated by Professional Board of engineers and the CCC.

Then David Manteit rings up Council about the easement document. Wake calls me back. I ask him 10 questions and he says he didn't assess – he said call the engineers. I said "who are they". He said "I don't know, their names are on the approval."

More evidence of alleged unsatisfactory professional conduct.

The Professional Engineers Act 2002 provides for satisfactory conduct. It is my view that satisfactory conduct by a registered professional engineer did not occur in this case of 128 Ashridge Rd Darra.

Further- information request

Accordingly I request immediately, the following information to be sent to myself, for myself and the auditors of the Board of Professional Engineers, and the Crime and Conduct Commission -

Surface levels and invert levels of Council staff engineered stormwater 6 pipes, 6 pits and kerb crossings, as per BSD 8111.

Calculations of fall of pipes, as per BSD 8111.

Council staff Engineering under S7.4.7, build over or near Council assets.

Reason for the sham rear triangle, DA cases for comparison, Planning Court cases for comparison.

Reason for incorrect location of Onsite Drainage pits and kerb and chanel.

Council Engineering for the site specific easement.

Declaration by Council in writing of all typographical errors and the reasons for those errors.

Declaration by each Council Development Assessment Team member as to who were the person/persons who performed the engineering in red and in the conditions.

If you cannot provide this information, I need to report this to the Board of Professional Engineers and the Crime and Corruption Commission.

Further – BSD 8111 table

"Further information request"
Council staff Engineering under S7.4.7..
Council engineering for the site specific easement"

Index

Court doc 10, filed 10-11-24

In the Planning and Environment Court No 2916/24

Held at: Brisbane.

Between: **David Manteit** Appellant

And: **Brisbane City Council** Respondent

NOTICE OF APPEAL

Filed on

Filed by David Manteit

Service address: 82 Rowe Tce Darra 4076

Phone: 0424 739 923

Email: davidmanteit@hotmail.com

I, David Manteit of 82 Rowe Tce Darra 4076 appeals to the Planning and Environment Court at Brisbane against the decision made by Brisbane City Council on 25/9/24 of AOO6565555 and seeks the following orders set out on the following pages 3-21.

Appellant

Name: David Manteit
Service address: 82 Rowe Tce Darra 4076
Phone number: 0424 739 923
Email: davidmanteit@hotmail.com

Index

Court doc 10, filed 19-11-24

Days to approve Decision	63 days **Upslope pipe required**	23 days **Upslope pipe not required**

It is noted that around one metre of fall, pipe diameter and cover are around one metre.

So both properties would be charged by around one metre if stormwater pipe was built.

22. The stormwater pipe cannot be built. Council refuse to supply the **easement** they are responsible for. As per Condition S7 Grant easements.

"Council refuse to supply the easement"

As perCouncil's own requirements in S 7.6.7 of the Infrastuctire Design Policy S 7.

23. Council should have made an **information request** to the applicant by 14 days after 23/7/24, being the Properly Made Date. This would have allowed the applicant to design the alleged Upslope stormwater line, thereby saving the need for Court application. This matter could have been resolved at tha information request stage.

It is noted that Joel Wake is the Delegate for the decision. Margaret Orr said in a letter to David Manteit "The delegate took all assessment matters into account"

The strange thing is that Wake has diverted from his policy in the case of 143 Wakefield Rd Bald Hills, where he asked the applicant for

24. Council is responsible for disclosure to the appellant of all engineering information.

(a) Council refuse to supply surface levels and invert levels of red stormwater line
(b) Council refuse to supply fall gradient as per BSD 8111 guidelines.
(c) Council refuse to supply pipe diameter and cover as per BSD 8111 guidelines.

25. Council Infrastructure policy 7.4.7 Building near or over underground stormwater infrastructure.

- The stormwater pipe cannot be built due to all the requirements by Council in this section including –
- "Council or other works to **contravene the easement"**. Since Council refuse to supply the **easement,** the stormwater red line cannot be built.
- There will be earthworks including a retaining wall.
- There will be building works such as retaining wall, reinstatement of private drain, capping off private drain, inspection of I/O, Urban Utilities statutory easement right to maintain their sewerage pipe if faulty. This may require digging up the sewerage pipe.
- There will be proposed works that will affect the structural integrity of the trench
- Minimum horizontal clearance of one metre of works near stormwater
- Where a drain is laid next to a footing (eg retaining wall), the trench shall be located beyond a 45 degrees angle from the base of the footing.

"Council or other works to contravene the easement" Since Council refue to supply the easement, the stormwater red ine cannot be built."

Index

Court doc filed 10-11-24

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7 A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

26. Conflict of retaining wall engineering. The Form 15 retaining wall plan from STA engineering requires –

- Any building work (eg stormwater pipe) shall be away from the zone of influence.

- Any building work (eg stormwater pipe) shall not cause adverse damage to the retaining wall.

27. The letter from the applicant to Council on 1/10/24 and 14/10/24 describes all the reasons why the stormwater pipe cannot be built. Since the easement document will not be supplied by City Legal, the stormwater pipe cannot be built.

28. The stormwater pipe cannot be built. **Calculations** have been done by the appellant, a suitably qualified person to three different scenarios. All scenarios show the red line to be charged by .834m to 1.249m.

29. The stormwater pipe cannot be built.**Crosssections** have been done by the applicant, a suitably qualified person to three different scenarios. All scenarios show the red line to be charged by .834m to 1.249m.

30. The stormwater pipe cannot be built. **Retaining walls and fill at the rear** will not fix the charged system since the surface levels of rear neighbours cannot be touched and the stubbs nust have an invert level of 700mm at the boundary.

"a. Any proposed works contravening the drainage easement terms"

Index

Court doc 11- Grounds of appeal filed 19-11-24

In the Planning and Environment Court — No 2916/24

Held at: Brisbane

Between: **David Manteit** — Appellant

And: **Brisbane City Council** — Respondent

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under oath/affirmation says –

Various comments regarding expanded grounds for appeal. Pages 1-48.

JUSTICE OF THE PEACE (QUALIFIED) DEPT. OF JUSTICE & ATTORNEY-GENERAL Reg.No.: 116197

Signed: Taken by:

Deponent

Justice of the Peace

Sworn and affirmed by David Manteit on 19/11/24 at Brisbane in the presence of:

JUSTICE OF THE PEACE (QUALIFIED) DEPT. OF JUSTICE & ATTORNEY-GENERAL Reg.No.: 116197

Deponent

Justice of the Peace

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Index

Court doc 11 - Grounds of Appeal Filed 19-11-24

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

Above – S7.4.7 Building near or over underground stormwater infrastructure.

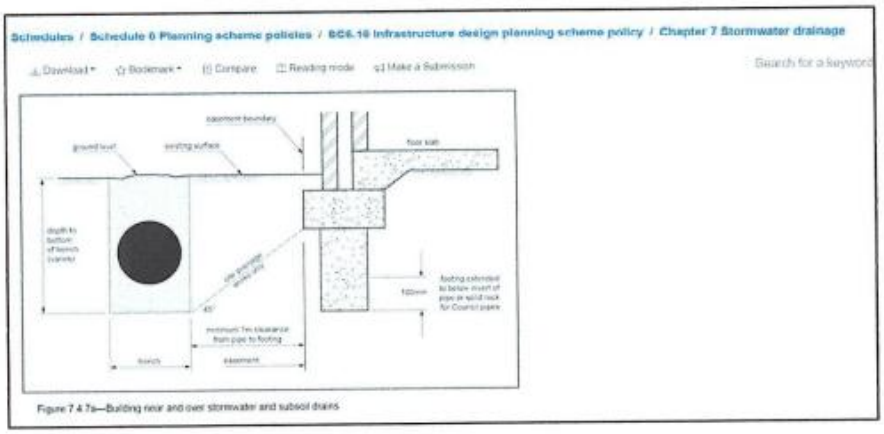


Figure 7.4.7a—Building near and over stormwater and subsoil drains

Above - Council Build over or near stormwater crossection.

Deponent _____ Justice of the Peace _____

"a. Any proposed works contravening the drainage easement terms."

Index

Court doc 11 - Grounds of appeal filed 19-11-24

Points to note –

Council requires at least one metre minimum away from outside of trench of any bored piers. Since the proposed retaining wall has bored piers, the Council stormwater pipe cannot be built within one metre from the retaining wall.

The Brisbane City Council requirements mean that the proposed stormwater pipe cannot be built in proximity of the This is Council's own requirements. Noone else's.

Action – Council to remove Condition S 18.

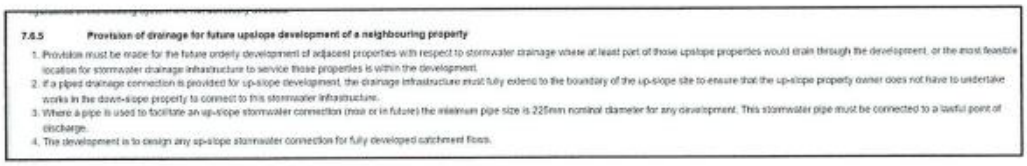
Contravening Council's easement terms.

On 1/10/24 the applicant sent Council a request for a copy of the easement as prepared by City Legal. Council refuse to provide same ?

Action – Council to remove Condition 18.

"Any proposed works that will affect the structural integrity of the drainage or it's trench".

This one requirement by Brisbane City Council **totally voids Council Stormwater pipe** due to the close proximity of the retaining wall drainage and the retaining wall.
The list of constraints in the Infrastructure policy could be the thousands. Council refuses to supply the easement.



7.6.5 **Provision of drainage for future upslope development of a neighbouring property**

1. Provision must be made for the future orderly development of adjacent properties with respect to stormwater drainage where at least part of those upslope properties would drain through the development, or the most feasible location for stormwater drainage infrastructure to service those properties is within the development.
2. If a piped drainage connection is provided for up-slope development, the drainage infrastructure must fully extend to the boundary of the up-slope site to ensure that the up-slope property owner does not have to undertake works in the down-slope property to connect to this stormwater infrastructure.
3. Where a pipe is used to facilitate an up-slope stormwater connection (now or in future) the minimum pipe size is 225mm nominal diameter for any development. This stormwater pipe must be connected to a lawful point of discharge.
4. The development is to design any up-slope stormwater connection for fully developed catchment flows.

Above – S 7.6.5 of the Infrastructure Policy. Provision of drainage for future upslope development of a neighbouring property.

"Owner does not have to undertake works in the down-slope property to connection to the stormwater infrastructure"

Ignoring the fact that the applicant does not consider the subject lot as downslope, however, for the sake of the exercise, this is 100% evidence that the rear neighbour's stubs need to be 700mm invert level at the boundary. The Council refuse to advise their design of the stormwater pipe in detail.

In addition, the Council cannot design a roman aquaduct,

Deponent _____ Justice of the Peace _____

"On 1/10/24 the applicant sent Council a request for a copy of the easement as prepared by City Legal. Council refuse to provide same?"

Index

Court doc 11 - Grounds of Appeal, filed 19-11-24

Conclusion – Stormwater pipe is incompatible with proximity with retaining wall and sewer.

Action – Council to remove stormwater red line and S 18 condition.

Chapter 7 Stormwater drainage

Contents

7.1 Introduction

7.2 Property drainage systems

7.3 Hydrology and hydraulics

7.4 Drainage infrastructure

7.5 Stormwater detention and retention systems

7.6 Disposal of property run-off

7.7 Road drainage and open channels

7.8 Stormwater outlets and scour protection

7.9 Water cycle management

7.10 Title encumbrances

7.11 Erosion and sediment control

7.4.7 Building near or over underground stormwater infrastructure

(1) For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
(a) any proposed works contravening the drainage easement terms;
(b) any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
(c) any building work proposed over the stormwater drainage or maintenance holes;
(d) any proposed works that will affect the structural integrity of the drainage or its trench;
(e) proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
(f) proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
(g) proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
(h) proposed driveways or concrete pavements over maintenance holes or property connections;

Note Councils own S 7.4.7 conflicts with building near or ove underground stormwater infrastucture

"(a) Any proposed works contravening the drainage easement terms"

Deponent _____ Justice of the Peace _____

Index

Court document 11- Grounds of Appeal, filed 19-11-24

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Joel Wake
Urban Planner

Joel Wake refuses to advise the applicant in the subject case why he did not provide an information request for the subject application but he did for 143 Wakefield St Bald Hills.

Note 6 years ago Joel Wake said to the applicant –

"Phone me".

In relation to the subject case Joel Wake has chosen not to make an information request. In addition he refuses to respond to hundreds of pages of queries from David Manteit.

9) Easement document terms unknown or sighted.

The terms of the Council proposed easement document are unknown due to Council refusing to supply a copy of since requested on 1/10/24 and the conditions will probably cause the stormwater pipe to conflict with engineering requirements from the sewerage pipe or retaining wall, or Small Lot Code.

Council are to prepare this easement.

Council refuse to provide or discuss the terms of the easement. This is plain dishonest.

The questions have been raised to Council in letter dated 1/10/24.

Action – Council to remove

"Council refuse to provide or disclose the terms of the easement. This is plain dishonest"

Deponent _____ Justice of the Peace _____

Index

Court doc 11, Grounds of Appeal, filed 19-11-24

Engineering

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots to preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane City Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

Action – Council to remove S7 , S 7(a)

8) Other Easement

There is no other easement.

7(b) Submit Plan of Subdivision and Documentation (other Easement)

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

Timing: As part of the submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

Easements "not in favour of the Brisbane City Council".

Letter dated 1/10/24 from David Manteit to Brisbane City Council

"Letter dated 1/10/24 from David Manteit to Brisbane City Council"

Deponent _____ Justice of the Peace _____

Index

Court doc 11 - Grounds of Appeal, filed 19-11-25

I request that BCC respond to my request to the following in relation to S 7 of the approval dated 25-9-24 (not yet received by me from an assessment manager).

Council never gave myself, as applicant, an information request requiring myself as applicant to design a stormwater pipe. Council has taken it upon themselves to provide a half baked red line on a plan of subdivision, without any details. You designed it. I did not.

Council did not provide this plan as prepared by them prior to final approval.

I contend that is laziness and incompetence by the Council.

This action has reduced and eliminated the time afforded by the applicant to respond with the timely analysis and response by private RPEQ consultants.

The Council has already defaulted in not providing the decision on or prior to 35 business days. You had all this time but still couldn't be bothered to provide an information request. A monetary compensation will be vigorously pursued by myself in the coming days.

The Planning Court will see BCC actions as lazy and incompetent.

My initial assessment of the BCC designed stormwater plan is that -

- Council stormwater plan does fot work, for many reasons. This shall be revealed after you provide answers to the following questions.
- There are no "upstream lots" or "upstream owners" to the subject site. In addition, there is no terms in the City Plan 2014 of these descriptions.

Council have invented and designed the stormwater pipe and prepared the plan themselves, so the onus is on BCC to to provide answers to the following questions.

I request BCC provide the answers by 12pm, tomorrow, 2-10-24

"I request BCC to provide the answers by 12pm, tomorrow, 2-10-24.

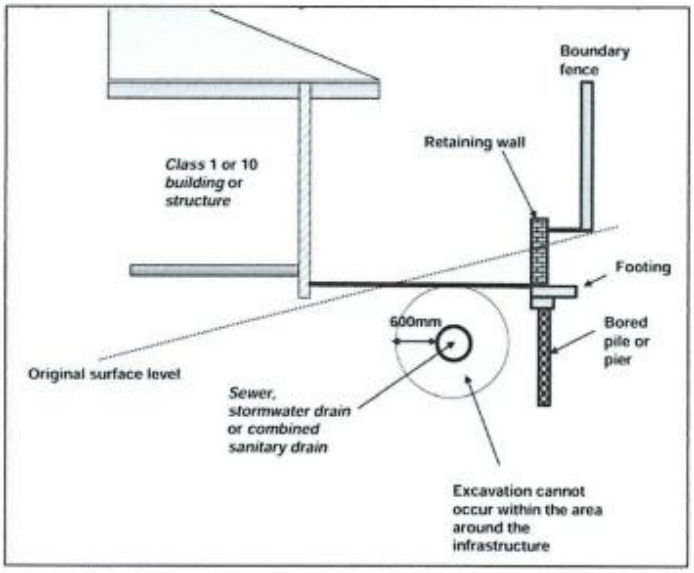
Easement document.

1) Please provide proposed **surface levels and invert levels** of the 225mm stormwater pipe.
2) Please provide **cover distance above, below, left and right** of the 225 stormwater pipe. Note any requirements below that may affect this cover d distance.
3) Is there restriction for **other stormwater pipes**, besides the BCC pipe, such as house stormwater pipes. If there are no restrictions
4) Is there restrictions in the easement document for **other services** such as NBN, power, water supply copper pipes.
5) Is there restriction for **existing retaining wall above ground** as to the component inside the boundary.
6) Is there restriction for **existing retaining retaining wall footings below ground** as to the component inside the boundary.
7) Is there restriction for any **future retaining wall** above ground as to the component inside the boundary.
8) Is there resriction for around 300mm **drainage gravel** required by retaing wall engineered design.
9) Is there restriction for a **fence above retaining wall** in relation to that part inside the boundary
10) Is there a restriction for **vegetation** to be planted in the easement.
11) Is there a restriction for a **concrete slab pathway** in the easement. Note that the design for this may not be possible as it would be regarded as a floating slab for engineering purposes.

Deponent _____ Justice of the Peace _____

Index

Doc 11 - Grounds of Appeal filed 19-11-24



12) Is there a requirement in the easement for good **maintenance** by BCC or the owner.

13) What hours of the day can BCC **inspect** their easement.

14) What is the proposed **type of surface** of the easement. This needs to be imperveous.

15) Please provide **engineered drawings** for the top imperveous surface of the easement.

- Please advise how **thick** this surface would be.
- Please provide what **material** the surface is. If this is proposed to be concrete, please provide what MPA.
- Please provide what size **mesh** to be used, if one or two layers, F62 or F72,
- Design of **spoon drain** to carry water away from the imperveos surface and legal point of discharge for the imperveous surface.

16) Please provide **depth of spoon drain.**

- Please provide minimum **slope** of imperveous surface both in direction of travel and accross.

Please provide crosssection of the above, for clarity. This information affects surface levels and invert levels.

17) Please provide any **restrictions** of the easement in any way, shape or form.

18) Please provide any other requirements of any restriction.

Deponent _____ Justice of the Peace _____

Index

Court doc 11 - Grounds of Appeal, filed 19-11-24

19) Is there a **guarantee** that the Council will repair a broken stormwater pipe that could cause water under the house slab, cracking of the house slab, and perhaps an inhabitable house.

20) Does the easement document provide for solutions under the **Queensland Development Code.**

21) Can the easement be used by the occpupant for **fire escape purposes** as part of a fire safety management plan.

22) Is a fence required for the easement.

23) Can a carport without footings in the easement be built over stormwater easement.

24) Does the easement allow for a toe footing as per BCC standard footings design.

25) Is a stormwater maintenance hole required. This will affect invert level heights.

26) Does the easement restrict distances to retaining walls and houses. See Queensland Development Code example.

27) Please respond as to what "other easement" means. Is this BCC incompetence ?

The above list is not an exhaustive list. There will be more questions.

If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the court to consder this action and to take into account any costs of the case.

It is stated in the approval that Council will prepare the easement document. This is your responsibility, not mine.

Please provide by 5pm today responses to the above questions and the following -

- **wording and**
- **all plan view and**
- **cross sections front, back, left, right that take onto account all of the above.**

Above - extract of letter to Council 1/10/24

Council have erroneously included this condition in the approval.

Action – Council to remove S7 , S 7(a).

Action – Council to remove Condition 7 (c).

10) Precedence

See other affidavit re audit by David Manteit re 500 spproved subdivision cases of reconfiguration of a lot this Calendar year.

Driveway S 24

Note previous approval at 63 Oateson Skyline Dve David Manteit applicant.

Deponent _____ Justice of the Peace _____

Index

Court document 12 - Affidavit, filed 19-11-24

3. I have worked hands on in respect of constructing every single stormwater and sewerage pipe in all my own developments and have supervised client's installations. I have been in the trenches and worked with the licenced plumber as assistant.I audited each pipe for fall. Surveyors then audited and signed off.

I have completed around 60 projects for lawful point of discharge.

Every single BCC approval has a stormwater condition.

This includes using various shovels and tools –

Birdmouth shovel
Square nosed shovel
Plumbers trench shovel
Scissor shovl
Laser level
Wheelbarrow
Pipe laser
Drain Cam
Pipe welding machine
Vrbrating compating machine
One tonne excavator
Concreting tools
Carpentry tools

'I have never had a case before... where I have had an impediment to completing works for a subdivision plan due to Council sham plan design and refusal to provide information regarding the sham plan"

I have completed around 100 retaining walls in concrete sleepers, block wall, timber.

I have concreted many slabs and driveways.

I have converted 5 CBD buildings to apartments.

I have completed 20 subdivisions in my own name.

2. Both Brisbane City Council and Ipswich City Council trust and rely on my prepared plans. Both Councils have never given me an information request to change overall plan details.

3. The stormwater pipe cannot physically be constructed. I state that I physically cannot commence subdivision works nor complete the appoved plan to plan sealing for 128 Ashridge Rd Darra due to Council withholding information necessary to complete.

4. Council impediment to completing works. I state that I have never had a case before in either Brisbane City Council,Ipswich City Council, or Logan City Council, where I have had an impediment to completing works for a subdivision to sealed plan due to to **Council** sham design and refusal to answer questions on their sham design and refusal to provide information regarding their sham design.

5. Further grounds of this Court case. Ordinary Course of business. For the sake of clarity, the grounds for answering the questions and poviding the said information Include the ordinary course of business of completing the subdivision requirements to enable follow through to plan sealing stage.

Deponent

Justice of the Peace

Index

Court doc 12- affidavit, filed 19-11-24

6. Council is author of plans.In relation to all previous developments and construction I have always built to plans and engineering specifications. Council is the author of -

- requirement of fill in S12, S17, S18.
- requirement of stormwater red line
- requirement to change driveway flanges.

Council state that the stormwater line is a "markup only" and "requires further detail design". Council has a responsibility to proivide engineering detail and answer questions

It is unfathomable why Council would clearly state that basically they have no engineering or proof of their red line.

If Council has proof of red line engineering, Council should supply it to me.

If Council has no engineering proof of red line, Council should remove red line and conditions.

7. **Council refuse to supply easement documentation**.I have completed scores of subdivisions requiring services easements. Including subdivisions that require Council to prepare the easement. In the past Council have supplied and prepared certain access easements. I cannot recall any problem with Council supplying the proposed easement documentation in the past.

I physically cannot commence subdivision requirements until all the aspects are known of the stormwater drainage easement document. Council refuse to supply. Hence my subdivision is at a full standstill.

In addition, to highlight the incompetence of the Council approval, Council refuse to supply me with the details of S 7b "Other easement". Where is the "other easement" supposed to be over?.

I physically cannot commence subdivision works until the details of the :"other easement are supplied."

8. Normal past responses by Council regarding Stormwater.

I state that is is not normal for Council to hinder the supply of information on their own engineered plans.

Below is a copy of a letter from Andrew Blake advising the SL (surface level) of the Q 50. for 82 Rowe Tce Darra, during the assessment period,

It so happens that Council had previously prepared plans for the overland flow mitigation works in and around 82 Rowe Tce Darra.

Note in the 82 Rowe Tce example -

Council prepared plan.
Council supplies surface level (SL)

Deponent

Justice of the Peace

Index

Court doc 12, Affidavit, filed 19-11-24

6. Council is author of plans. In relation to all previous developments and construction I have always built to plans and engineering specifications. Council is the author of -

- requirement of fill in S12, S17, S18.
- requirement of stormwater red line
- requirement to change driveway flanges.

"I cannot recall any problem with Council supplying the proposed easement documentation in the past"

Council state that the stormwater line is a "markup only" and "requires further detail design". Council has a responsibility to proivide engineering detail and answer questions

It is unfathomable why Council would clearly state that basically they have no engineering or proof of their red line.

If Council has proof of red line engineering, Council should supply it to me.

If Council has no engineering proof of red line, Council should remove red line and conditions.

7. **Council refuse to supply easement documentation.** I have completed scores of subdivisions requiring services easements. Including subdivisions that require Council to prepare the easement. In the past Council have supplied and prepared certain access easements. I cannot recall any problem with Council supplying the proposed easement documentation in the past.

I physically cannot commence subdivision requirements until all the aspects are known of the stormwater drainage easement document. Council refuse to supply. Hence my subdivision is at a full standstill.

In addition, to highlight the incompetence of the Council approval, Council refuse to supply me with the details of S 7b "Other easement". Where is the "other easement" supposed to be over?.

I physically cannot commence subdivision works until the details of the :"other easement are supplied."

8. Normal past responses by Council regarding Stormwater.

I state that is is not normal for Council to hinder the supply of information on their own engineered plans.

Below is a copy of a letter from Andrew Blake advising the SL (surface level) of the Q 50. for 82 Rowe Tce Darra, during the assessment period,

It so happens that Council had previously prepared plans for the overland flow mitigation works in and around 82 Rowe Tce Darra.

"Council refuse to supply easement documentation"

Note in the 82 Rowe Tce example -

Council prepared plan.
Council supplies surface level (SL)

Deponent

Justice of the Peace

"i physically cannot commence subdivision requirements until all the aspects are know of of the stormwater drainage easement document. Council refuse to supply. Hence my subdivision is at a full standstill"

Index

Court doc 12 Affidavit 19/11/24

I have requested amongst other items from Council in relation to the said stormwater red line , surface levels and invert levels.

Council refuse to supply information. Therefore I cannot proceed with completing development requirements for plan sealing unless Council supply information.

82 Rowe Tce Darra

From Andrew Blake <Andrew.Blake@brisbane.qld.gov.au>
Date Fri 23/10/2020 11:47 PM
To davidmanteit@hotmail.com <davidmanteit@hotmail.com>

Hi David,

As discussed in our recent phone conversation, Brisbane City Council has overland flow flood information for this property.

The Q50 overland flow flood level for 82 Rowe Terrace Darra is 25.7m AHD.

Regards

Andrew Blake
Principal Engineer (Stormwater & Flooding) | Development Services
City Planning & Sustainability | BRISBANE CITY COUNCIL

Brisbane Square | 266 George Street, Brisbane, Qld 4000
Email: andrew.blake@brisbane.qld.gov.au

"Unknown Council easement requirements, Refusal by Council to supply"

Notes to S 3.

(a) No person including plumbers can physically build the red line stormwater plan as shown on the approval and for the pipe to be not charged.

(b) **No applicant engineer can design** the stormwater pipe due to -

Malfunction of slope

Existing surface levels to remain as is.

Conflict of engineering design due to proximity of retaining wall, sewer pipe.

Conflict of engineering design due to crossover/shared drainage gravel, compaction,etc.

Unknown Council easement requirements. Refusal by Council to supply.

Deponent

Justice of the Peace

Index

Court doc 12. Affifavit filed 19-11-24

(c) **The ordinary course of business.** I am at a complete standstill on the site until Council supply information on the sham stormwater line, "Markups only" and "Further detailed design required" If there was no court action to obtain this information, then Council should supply this information on the ordinary course of business. Council refuses to supply.

(d) **I do not know where to place fill** requested by Council in S12, S17,S18 of the approval as the site has a lawful point of discharge of AHD 35.1 that is lower than all existing surface levels on the proposed blocks.

Based on a usable building pad of SL 36.0, or any level above IL 35.138 which is the required IL at the front boundary, there is no need for a teaspoon of fill.

(f) **Precedence** –

David Manteit V Telstra and NBN

Decision

BRISBANE CLAIM: 0000111/19

APPLICANT
DAVID MANTEIT

RESPONDENT
NBN

TELSTRA CORPORATION LIMITED ABN 33051775556

Claim Filed: 22 January 2019

Take notice that this application was heard before the Queensland Civil and Administrative Tribunal at BRISBANE on the 18 February 2021 and the following decision was made:

It is ordered that:

CLARIFICATION
I confirm that;
1. The payment of $~~15000~~ satisfies the requirements of the order in respect of both Respondents;
2. The NBN is not required to separately pay the Applicant any further sum;
3. The terms "without admission of liability and terms to be kept wholly

Queensland Civil and Administrative Tribunal

I successfully obtained orders from Queensland Civil and Administration Tribunal From Telstra and NBN for them to install a telecoms pit and pay damages of tens of thousands of dollars, around 2021, plus tens of thousands further from NBN in relation to them not complying with non-disclusre.

Deponent

Justice of the Peace

Index

Outlook

Fw: 128 AHRIDGE RD DARRA A 006565555

From david manteit <davidmanteit@hotmail.com>
Date Tue 1/10/24 6:03 PM
To zandra.piper@brisbane.qld.gov.au <zandra.piper@brisbane.qld.gov.au>

1/10/24
Letter to 4 Council employees.

No response.

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

Court doc 73 filed 14-1-25
27 Questions on easement. No response

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 1 October 2024 6:00 PM
To: sandra.piper@brisbane.qld.gov.au <sandra.piper@brisbane.qld.gov.au>
Cc: tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; scottruhland@brisbane.qld.au <scottruhland@brisbane.qld.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>
Subject: 128 AHRIDGE RD DARRA A 006565555

Dear Sirs

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the pla subdivision necessary to comply with this condition or give effect to this approval.

7(b) Submit Plan of Subdivision and Documentation (other Easement) **What other easement ? BC inc**

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easem documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's pri solicitors.

I request that BCC respond to my request to the following in relation to S 7 of the approval dated 25-9-24 (not yet received by me from an assessment manager).

Council never gave myself, as applicant, an information request requiring myself as applicant to design a stormwater pipe. Council has taken it upon themselves
to provide a half baked red line on a plan of subdivision, without any details. You designed it. I did not.

Council did not provide this plan as prepared by them prior to final approval.

Index

Account to Brisbane City Council
Default interest 128 Ashridge Rd Darra 4076

	Opening balance	Interest @12.35%	Closing balance
10/09/2024	$1,000,000.00	$338.36	$1,000,338.36
11/09/2024	$1,000,338.36	$338.47	$1,000,676.83
12/09/2024	$1,000,676.83	$338.59	$1,001,015.41
13/09/2024	$1,001,015.41	$338.70	$1,001,354.11
14/09/2024	$1,001,354.11	$338.81	$1,001,692.93
15/09/2024	$1,001,692.93	$338.93	$1,002,031.86
16/09/2024	$1,002,031.86	$339.04	$1,002,370.90
17/09/2024	$1,002,370.90	$339.16	$1,002,710.06
18/09/2024	$1,002,710.06	$339.27	$1,003,049.33
19/09/2024	$1,003,049.33	$339.39	$1,003,388.72
########	$1,003,388.72	$339.50	$1,003,728.22
21/09/2024	$1,003,728.22	$339.62	$1,004,067.84
########	$1,004,067.84	$339.73	$1,004,407.57
########	$1,004,407.57	$339.85	$1,004,747.42
########	$1,004,747.42	$339.96	$1,005,087.38
########	$1,005,087.38	$340.08	$1,005,427.46
########	$1,005,427.46	$340.19	$1,005,767.65
########	$1,005,767.65	$340.31	$1,006,107.96
########	$1,006,107.96	$340.42	$1,006,448.38
########	$1,006,448.38	$340.54	$1,006,788.92
########	$1,006,788.92	$340.65	$1,007,129.57
1/10/2024	$1,007,129.57	$340.77	$1,007,470.34
2/10/2024	$1,007,470.34	$340.88	$1,007,811.23
3/10/2024	$1,007,811.23	$341.00	$1,008,152.22
4/10/2024	$1,008,152.22	$341.11	$1,008,493.34
5/10/2024	$1,008,493.34	$341.23	$1,008,834.57
		$8,834.57	

Interest amount accumulated from 10-9-24 to 25-10-24 **$8,834.57**

(2)

Letter 4/10/24
Filed 14-1-25
Court doc 73

No response

I request that this amount be paid by Monday 7/10/24 or I shall have no alternative but to recover this in the courts without further notice. The balance is accruing daily, same as the rates notice.

6) The **appeal period** has not commenced since I have not received a decision notice from the asssessment manager to date. Bcc hasn't nominated an assessment manager. Please confirm.

7) I have asked that Joel Wake refrain from telephoning me and harassing me.
I did't call him. *He called me* on 1/10/24. Please control your staff. I asked reception for City Legal. Still no phone call back from City Legal. Only Joel Wake, person of at least tqo titles, none of which are assessment manager.

When is City Legal going to return my telephone call. I have a right to call them now.
A no response is hindering any change representation or appeal I wish to make.

I asked Wake 10 questions. He said he never assessed the stormwater matters relating to the application. He didn't answer any of my questions. He said it's a waste of his time. Ratepayer's time.

Please advise in writing what questions I asked that you have a problem with.

I am transparent and polite and documented some of the telephone conversations in the letter to BCC of 1-10-24. I request you provide minutes of the meeting as you recall and what date you wrote the letter.

No days passed n myself writing my letter of minutes of the meeting.

Three days have gone by. You have no minutes of your meeting.

8) The problem with S63 is that you have not nominated **assessment manager** as per S60 so there is **currently no start of appeal period.**

9) It is is noted that BCC has not responded to any of my questions from 1-10-24.
This is unprofessional and hinders the chance to reduce scope of my change of representations or appeal.

The judge will ask why didn't I sort out these maters before coming to Court.
The truth is that to date the Council is in default of the Planning Act and now refuses to any specidic questions asked.

The placement of a charged red stormwater line designed by BCC without any basis whatsoever and refusal to respond to questions from the applicant is a serious matter.

There are many obvious blunders in the BCC approval which could be eliminated now by BCC being honest and truthful, by you responding to the questions. There will be further questions early next week.

For example, why should I have to make a change representation regarding an obvious BCC blunder ?

Eg, BCC requesting for documentation on other easements when there is no other easements. You mentioned the delegate assessed but Joel Wake advised on 1/10/24 that he didn't asses anything.

Index

7(b) Submit Plan of Subdivision and Documentation (other Easement) (3)

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

Timing: As part of the submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

In the past, Planning officers have removed conditions immediately upon my discovering their mistakes. Not on this occasion. Why is that ?

But Wake is not competent. Any competent person would have seen this blunder in the blink of an eye.

10) Approval provides for the City Legal Team to prepare the easement document. Please advise, as already requested verbally to the receptionist on 1-10-24 a contact name that I may clarify the issues as mentioned in my letter of 1/10/24.

Wake said "I dunno about that easement document. I will try..." Thanks for nothing
Wake. Still no response from Wake "trying" Zilch. Zippo.

Otherwise please specifically state for court purposes that BCC is not willing to discuss the easement mattter This for the sake of clarity for court purposes. Refusal of same will provide clarity.

11) Please provide in writing the name of the engineer that is willing to discuss all engineering matters. There are names of engineers on the approval.
Is this your implied authorisation for myself to telephone them? Refusal of same will provide clarity for others.

Please note any email or letter from and to BCC should be published on Development I.

Please note that any email from and to BCC shall be published by me in a public arena such as my websites and your websites.

There is no confidentiality.

Regards

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

Letter 4/10/24
Court doc 73, filed
14-1-25

No response

From: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>
Sent: Thursday, 3 October 2024 5:09 PM
To: davidmanteit@hotmail.com <davidmanteit@hotmail.com>
Cc: Emma Mezzina <Emma.Mezzina@brisbane.qld.gov.au>; Zarndra Piper <Zarndra.Piper@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>
Subject: 128 ASHRIDGE RD DARRA A006565555

Good afternoon David

Thank you for your email of 1 October 2024 about your development application at 128 Ashridge Road, Darra (application reference: A006565555).

As you are aware, this application was approved by Council on 25 September 2024 after being assessed by Council's Development Services team against the requirements of the *Brisbane City Plan 2014* (City Plan) and in accordance with the provisions of the *Planning Act 2016* (the Act). Council's Delegate took all assessment matters into account, and concluded that the application was in accordance with the requirements of the City Plan, subject to the imposition of reasonable and relevant conditions and amendments in red.

I appreciate that you may not agree with the conditions and amendments to the plans, however, you have an option to suspend the appeal period to make change representations under s75 of the *Planning Act 2016*. Otherwise, you have the right to appeal the decision 20 business days after the notice of the decision is given, by lodging a notice of appeal in accordance with s230 of the *Planning Act 2016*. (8)

Index

Outlook

Fw: QUESTONS ATTACHED INCLUDING STORMWATER DAVID MANTEIT 128 ASHRIDGE RD DARRA

From david manteit <davidmanteit@hotmail.com>
Date Fri 11/10/24 4:26 PM
To city.legal@brisbane.qld.gov.au <city.legal@brisbane.qld.gov.au>

1 attachment (2 MB)
Letter 10-10-24.pdf;

Letter 10/10/24
Email 11/10/24
To City Legal
No response by City Legal

Att Paul

FYI

Regards

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

Letter 10/10/24
Court doc 73,
filed 14-1-25

From: david manteit <davidmanteit@hotmail.com>
Sent: Thursday, 10 October 2024 10:10 AM
To: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>
Cc: lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; zarndra.piper@brisbane.qld.gov.au <zarndra.piper@brisbane.qld.gov.au>
Subject: QUESTUiONS ATTACHED INCLUDING STORMWATER DAVID MANTEIT 128 ASHRIDGE RD DARRA

(14)

Index

Letter 10/10/24. Court doc 73, Filed 14-1-25

10 October 2024

The Manager

Brisbane City Council.

For lodgement on Development I

For lodgement on brisbanecitycouncilcomplaints.com.au

128 ASHRIDGE RD DARRA APPROVAL QUESTIONS

The purpose of this factsheet is to help customers navigate the process of complying with conditions associated with a development approval. Development approvals come with specific conditions that must be achieved to ensure lawful and successful development approval fulfillment.

Understanding your development approval conditions:

Conditions cover various aspects, including engagement requirements, construction activities, and timing for when specific activities are to occur.

Review and understand Conditions:	Thoroughly read and comprehend all conditions, seek clarity by contacting the relevant specialist teams by emailing conditioncompliance@brisbane.qld.gov.au as early as possible if unclear.

PROJECT TEAM

The assessment of this application has been undertaken by:

Joel WAKE Senior Urban Planner Planning Services South joel.wake@brisbane.qld.gov.au (07) 3178 7467	Zarndra PIPER Principal Urban Planner Planning Services South Zarndra.Piper@brisbane.qld.gov.au 0731780370	Scott RUHLAND Technical Officer Engineering Scoping scott.ruhland@brisbane.qld.gov.au (07) 3403 9459
Lucy TING Senior Engineer Engineering Services Hydraulics lucy.ting@brisbane.qld.gov.au (07) 3403 5005	Tom GIBBS Principal Engineer Engineering Services Traffic Tom.Gibbs@brisbane.qld.gov.au	

Dear Sirs above and Ms Orr

I am seeking clarity and responses to questions below as to some conditions of the approval, as per BCC advice attached with approval.

It is noted that there has been no response to my last letter re easements.

Please provide your answers to the following questions by Thursday 5pm 10/10/24.

Time is of the essence.

Please file this correspondence on Development I

P & E Court Material.- Hand this to City Legal

cc website brisbanecitycouncilcomplaints.com.au

(17)

Index

I wish to advise that any refusal to provide truthful and transparent responses could be detrimental to any future P & E Court case for any or both parties.

Please be aware all and any of my correspondence in this case will or may be published on any of my websites or books, your websites, or any public space as a matter of public interest.

Joel Wake has refused to provide answers verbally or in writing to these questions.

Maragert Orr has refused to provide answers in writing to these questions

Lucy Ting on 9/10/24 by telephone has refused to provide answers to these questions.

Please do not use words in your responses such as "happy" or "unhappy", as Ms Orr has done,

S 12) Filling and/or Excavation

12) Filling and/or Excavation

All earthworks must be carried out in accordance with the relevant Brisbane Planning Scheme Codes.

12(a) Submit Earthworks Drawings

Submit to, and obtain approval from, Development Services earthworks drawings prepared and certified by a Registered Professional Engineer Queensland in accordance with the relevant Brisbane Planning Scheme Codes.

The Earthworks Drawings must include the following:

- The creation of a usable building pad for proposed Lot 2 and any associated earthworks to enable lawful point of discharge for the proposed lots to Ashridge Road kerb and channel and the provision of a stormwater drainage connection for upslope properties in accordance with the conditions of this approval.

Letter 10/10/24 Court doc 73
Filed 14/1/25

Index

Letter 10/20/24. Court doc 73
Filed 14-1-26

Scenario 2 - More conservative 600 cover and 1.0% fall.
Calculations done against red line shown on BCC approved plan.

Pit	1	2	3	4	5	Croee check	
Pipe Length		16.370	6.060	29.500	3.750		
SL at boundary	36.700	35.650					
Fall of natural ground - rear beighbour or Ashridge Rd	Rear neighbour	Rear neighbour					
(A) SL used for Pit	37.000	35.750	35.250	35.853	35.250		
New start of line invert level brought forward		36.175	34.925	34.425	33.898		
(B) MIn depth - pipe 225 and and cover 600	0.825						
(C) Min Invert level depth	36.175					36.175	
Min one degree fall		0.291	0.108	0.524	0.067	-0.988	
(D) Invert level end of line without min cover		35.884	34.817	33.901	33.831		
(E) Prima facie depth (needs to be + .825, + 250 (kerb)		-0.134	0.433	1.952	1.419		
Distance the pipe needs to be lowered by to be not charged.		0.959	0.392			-1.352	
Adopted Min pit invert level 225 pipe and cover 600 carried forward		34.925	34.425	33.898	33.831	33.835	✓
Invert level at kerb					35.100		
BCC charged system malfunction in metres					-1.269		

"enable lawful point of discharge for the proposed lots to Ashridge Road kerb and channel"

The invert level at kerb as per the BCC approved plan is 35.100. This was arrived at by the applicant using his laser level in conjunction with the surveyor kerb site datum of 36.303.nThis took me all of 60 seconds, as both marks are only some 10 metres away from each other and both on the kerb.

As of date of this letter, Council is invited to get their own kerb levels anytime. You own the land. I have already invited Joel Wake to inspect a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn't assessed the stormwater calculations, nor engineering, nor "easement document to be prepared by Council"

Given required one degree fall, a minimum of AHD 35.166 invert level is required at the boundary.The invert level at the boundary is proposed AHD 35.166.This level will command the the existing site levels for both Lot 1 and Lot 2 without the placement of any fill. There is no point on the block that is lower than AHD 35.166, except he right back corner of 35.162.

It is proposed to leave all remaining areas outside of the building pad to be untouched.This levels at the rear of the usable pad are already average 1:6. But that is irrelevant since they will be untouched.

There are hundreds of examples of approved plans where a pad level is provided to BCC and accepted as a usable pad for stormwater and building purposes. This pad is

(21)

Index

Letter 10/10/24, Court doc 73, filed 14-1-26

"Provision of a stormwater drainage connection for upslope properties."

I have attached plan view and crosssection to demonstrate that the BCC red line shown of the BCC approved plan is charged.

The red line is charged by .907 m using BSD 8111 requirements of 225mm pipe, 450 cover and .5% degree fall, but using illegal sham triangular line which is not within 600 mm of the boundary.

The red line is charged by .984 m using BSD 8111 requirements of 225mm pipe,450 cover and .5% degree by using legal method of keeping line 600mm of the boundary.

The red line is charged by 1.269m by using conservative 225mm pipe,450 cover and 1% degree fall.

4. Please advise if you disagree with the above statements highlighted in yellow.

5. Please provide BCC surface and invert levels of BCC proposed stormwater red line plan for supposed upslope rear lots used in the assessment of the red line. This has been asked many times to BCC including Joel Wake verbally and letters in writing recently. Council refuses to supply same. Dishonest. It is your design, not mine.You take ownership of the red line.

Upslope definition

There is no definition of "Upslope" or "Upslope Lots in BCC definitions".

7.6.5 Provision of drainage for future upslope development of a neighbouring property

1. Provision must be made for the future orderly development of adjacent properties with respect to stormwater drainage where at least part of those upslope properties would drain through the development, or the most feasible location for stormwater drainage infrastructure to service those properties is within the development.
2. If a piped drainage connection is provided for up-slope development, the drainage infrastructure must fully extend to the boundary of the up-slope site to ensure that the up-slope property owner does not have to undertake works in the down-slope property to connect to this stormwater infrastructure.
3. Where a pipe is used to facilitate an up-slope stormwater connection (now or in future) the minimum pipe size is 225mm nominal diameter for any development. This stormwater pipe must be connected to a lawful point of discharge.
4. The development is to design any up-slope stormwater connection for fully developed catchment flows.

It is my contention that **no part of the rear properties "would drain through the development".**

23

Index

Letter 10/10/24, Court doc 72, filed 14-1-25

- In contrast to Urban Utilities guidelines for a manhole easement to be against tha boundary. This was covered in my letter of questions re easement, which is still unanswered.

Charged line BCC cutting corners **- 907 mm lower than the 35.1 at the kerb**
Charged line without BCC utting corners **984 mm lower than the 35.1 at the kerb -**

There is your proof.

14. Is there any other way to describe the design of the line away from 600mm from the boundary to not be BCC fraud ?

There is a natural valley between the lots. The valley bottom invert is in the rear lots, not the subject lot.That is where the water wants to go.

The water doesn't want to go uphill by artificial means to Ashridge Rd. The surface level at the rear right is 35.162. The pipe is 225 mm. The cover is 450 mm.

15. For simplicity sake, why would BCC want to fill a site if the site is supposedly downhill of the rear lots? BCC is attempting to pervert the watercourse for some unknown reason.

.
Any layman can look at the site and see where the water goes during a rainfall event.

16. Can the Council please advise what tests Council did during their assessment which categorises the subject site as a "downslope site" ?

17. Is Council proposing a Roman Aquaduct system toi be incorporated into their design?

S 17 On site drainage minor

"The development site must be filled to ceate a usable building pad for proposed Lot 2"

"A charged system does not achieve an acceptable point of discharge"

AHD of 35.166 at boundary will command the lot without a teaspoon of fill required. Minimum existing AHD of proposed building pad is 36.0

See crossections and Calculations. It is proposed that the site is to have an AHD of 36.0 on the building pad, sloping away to existing levels for the rest of the site, without requiring filling.

30

Index

Letter 10/10/24, Court doc 73, filed 14-1-26

23. Please advise why stormwater markups are indicative only when BCC has no excuses to be indicative only after 9 weeks since 23/7/24, the Properly Made date.

BCC had at least 9 weeks to assess all matters.

There has been no information request to the applicant.

(a) It is your (Council) plan not mine. You invented the red line, not me. The onus is on the author of the design to be transparent and truthful, not be mischevious and hiding.

(b) There has been no information request to the applicant regarding engineering requirements.

(c) There has been no request by BCC to the applicant for an extension of time for assessment.

24. Please advise why there has there been no information request by BCC to the applicant for stormwater engineering? The fact of BCC designing a red line is BCC responsibility to respond to applicant's questions re surface levels, invert levels and anything else required that was used to design the pipe.

25. Please advise why there has been no BCC request for extension of time.

Joel Wake of no specific title said in a phone call to myself when he called me on 1/10/24 that he had not personally assessed the stormwater requirements for the site.

26. Please advise why Joel Wake of multiple titles refused to assess stormwater requirements in the assessment process.

27. Please advise why Joel Wake of multiple titles refused to discuss stormwater matters other than in a telephone conversation "have you got a hydraulic consultant ?"

Joel Wake with various BCC titles, except Assessment Manager under the Planning Act, was offered by myself in a phone call to myself on or around 15/8/24 a chance to inpect my site from the ground plus first floor view from the lounge room. I also offered him free use of my laser level. Wake refused this offer.

28. Please advise why Joel Wake of multiple titles did not accept my offer to inspect the subject site.

35

Index

Letter 10/10/24 Court doc 73, filed 14-1-26

I require your responses by 5pm Thursday 10/10/24.

Should you choose not to respond, this action or nonaction may be taken into account by an Planing Court Judge. I reserve my right to claim damages for your no responses which may cause extra costs.

I am entitled to responses to all questions since Council is the author and designer of the stormwater line. I am not the author. I would have responded to an information request should one have been sent. Once again, you have boxed myself into extra costs now.

If you are proven to be wrong it is BCC who will pay the costs. You had your chance.

I shall be fleshing the site brisbanecitycomplaints.com.au out soon with this case study and will publish your response or no response for the public to see any time anywhere in the world, 24 hours a day. It will be the team members chance to shine. Think of it as a positive.

Council No response.

29. Why is it that no members of the Margaret Orr team can respond to questions?

I give an example of BCC Principal Engineer below providing a response to a stormwater question within 24 hours of a question on a BCC designed stormwater system.

Index

Letter 1/10/24. Court doc 73, filed 14-1-26

(3)

From: david manteit <davidmanteit@hotmail.com>
Sent: Tuesday, 1 October 2024 6:00 PM
To: sandra.piper@brisbane.qld.gov.au <sandra.piper@brisbane.qld.gov.au>
Cc: tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; scottruhland@brisbane.qld.au <scottruhland@brisbane.qld.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>
Subject: 128 AHRIDGE RD DARRA A 006565555

Easement

Dear Sirs

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan subdivision necessary to comply with this condition or give effect to this approval.

7(b) Submit Plan of Subdivision and Documentation (other Easement) **What other easement ? BC inc**

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

I request that BCC respond to my request to the following in relation to S 7 of the approval dated 25-9-24 (not yet received by me from an assessment manager).

Council never gave myself, as applicant, an information request requiring myself as applicant to design a stormwater pipe. Council has taken it upon themselves
to provide a half baked red line on a plan of subdivision, without any details. You designed it. I did not.

Council did not provide this plan as prepared by them prior to final approval.

I contend that is laziness and incompetence by the Council.

This action has reduced and eliminated the time afforded by the applicant to respond with the timely analysis and response by private RPEQ consultants.

The Council has already defaulted in not providing the decision on or prior to 35 business days. You had all this time but still couldn't be bothered to
provide an information request. A monetary compensation will be vigorously pursued by myself in the coming days.

The Planning Court will see BCC actions as lazy and incompetent.

My initial assessment of the BCC designed stormwater plan is that -

- Council stormwater plan does fot work, for many reasons. This shall be revealed after you provide answers to the following questions.
- There are no "upstream lots" or "upstream owners" to the subject site. In addition, there is no terms in the City Plan 2014 of these descriptions.

Council have invented and designed the stormwater pipe and prepared the plan themselves, so the onus is on BCC to to provide answers to the following questions.

I request BCC provide the answers by 12pm, tomorrow, 2-10-24

(40)

Index

(4)

Time is of the essence , as per the Planning Act 2016, and the Planning and Environment Court.

Easement document.

1) Please provide proposed **surface levels and invert levels** of the 225mm stormwater pipe.

2) Please provide **cover distance above, below, left and right** of the 225 stormwater pipe. Note any requirements below that may affect this cover d
distance.

3) Is there restriction for **other stormwater pipes**, besides the BCC pipe, such as house stormwater pipes. If there are no restrictions

4) Is there restrictions in the easement document for **other services** such as NBN, power, water supply copper pipes.

5) Is there restriction for **existing retaining wall above ground** as to the component inside the boundary.

6) Is there restriction for **existing retaining retaining wall footings below ground** as to the component inside the boundary.

7) Is there restriction for any **future retaining wall** above ground as to the component inside the boundary.

8) Is there resriction for around 300mm **drainage gravel** required by retaing wall engineered design.

9) Is there restriction for a **fence above retaining wall** in relation to that part inside the boundary

10) Is there a restriction for **vegetation** to be planted in the easement.

11) Is there a restriction for a **concrete slab pathway** in the easement. Note that the design for this may not be possible as it would be regarded as a floating slab for engineering purposes.

12) Is there a requirement in the easement for good **maintenance** by BCC or the owner.

13) What hours of the day can BCC **inspect** their easement.

14) What is the proposed **type of surface** of the easement. This needs to be imperveous.

15) Please provide **engineered drawings** for the top imperveous surface of the easement.

- Please advise how **thick** this surface would be.
- Please provide what **material** the surface is. If this is proposed to be concrete, please provide what MPA.
- Please provide what size **mesh** to be used, if one or two layers, F62 or F72.
- Design of **spoon drain** to carry water away from the imperveos surface and legal point of discharge for the imperveous surface.

16) Please provide **depth of spoon drain.**

- Please provide minimum **slope** of imperveous surface both in direction of travel and accross.

Please provide crosssection of the above, for clarity. This information affects surface levels and invert levels.

17) Please provide any **restrictions** of the easement in any way, shape or form.

18) Please provide any other requirements of any restriction.

19) Is there a **guarantee** that the Council will repair a broken stormwater pipe that could cause water under the house slab, cracking of the house slab, and perhaps an inhabitable house.

20) Does the easement document provide for solutions under the **Queensland Development Code.**

21) Can the easement be used by the occpupant for **fire escape purposes** as part of a fire safety management plan.

22) Is a fence required for the easement.

23) Can a carport without footings in the easement be built over stormwater easement.

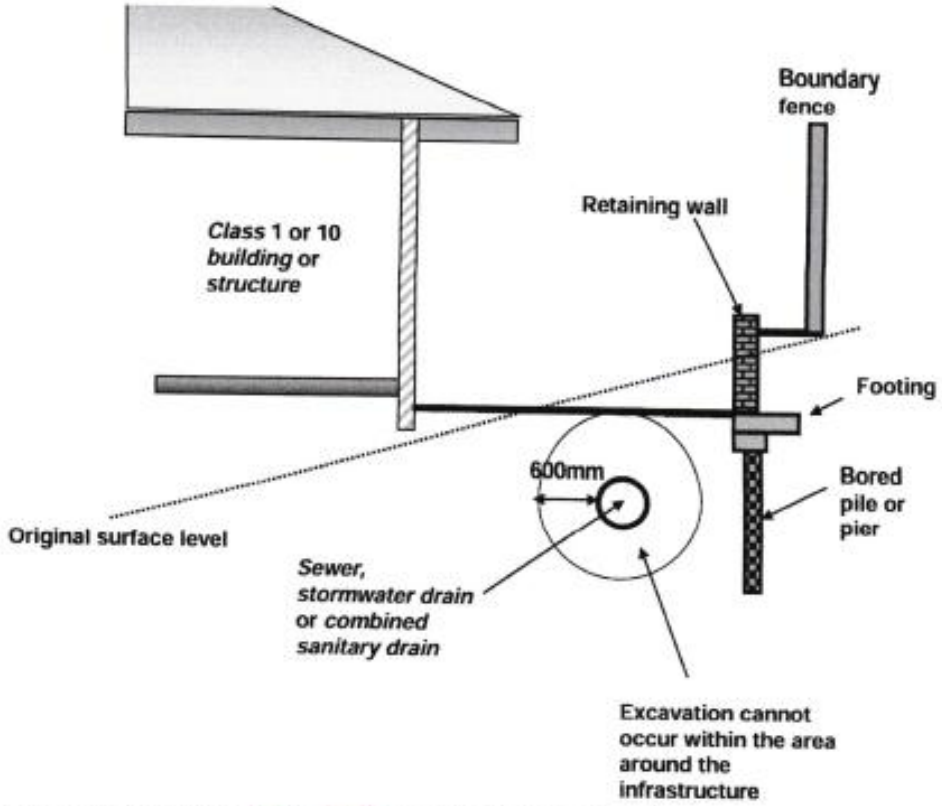
24) Does the easement allow for a toe footing as per BCC standard footings design.

25) Is a stormwater maintenance hole required. This will affect invert level heights.

26) Does the easement restrict distances to retaining walls and houses. See Queensland Development Code example.

Letter 10/10/24. Court doc 73, filed 14-1-26

Index



27) Please respond as to what "other easement" means. Is this BCC incompetence ?

The above list is not an exhaustive list. There will be more questions.

If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the court to consder this action and to take into account any costs of the case.

It is stated in the approval that Council will prepare the easement document. This is your responsibility, not mine.

Please provide by 5pm today responses to the above questions and the following -

- **wording and**
- **all plan view and**
- **cross sections front, back, left, right that take onto account all of the above.**

Assessment Manager

Please advise who the assessment manager for Planning Act definition , S60 purposes is for the application. There was a person today on the phone whi states his name as Joel wake who said he is the assessment manager but on the only correspondence provided by him on 26-9-24 it says he is a Senior Urban Planner.

On Development I it says he is a development officer. I have previously this question in writing many times who is the Planning Act assessment manager. No response from BCC so far. This may affect the interest charges to BCC coming shortly.

It is best you appoint another person for your phone calls, instead of someone who ducks and weaves, emotionally unstable in my opinion. He refuses to answer any questions whatsoever, harrases the applicant without myself calling him. An intelligent, experienced person does not act like this way.

Assessment

Is there any reason why the decision has or isn't decided by an assessment manager on the 35th business day after Properly Made date?

Your response will determine my final invoice.

Letter 10/10/24 Court doc 73, filed 16/1/26

Index

Letter 14/10/24, Court doc 74, filed 14-1-26

I am seeking responses to questions below as to some conditions of the approval, as per BCC advice attached with approval. I have not received responses to these questions as of Friday 11/10/24 I provide more information below and more questions,

It is also noted that there has been no response to my last letter re easement questions, on 1/10/24.

Please provide your answers to the following questions by Tuesday 12pm 14/10/24 or any action may be commenced forthwith requiring the proper responses before any decision notice by Council in relation to a S75 notice by the by applicant, or court order made from an appeal. Alternatively it will be ordered that certain clauses of the approval will be deleted and costs awarded to the applicant.

I wish to advise that any refusal to provide truthful and transparent responses could be cause legal and other costs to the applicant, as awarded in the Planning and Environment Court.

Time is of the essence.

Please file this correspondence on Development I

Applicant to file on website brisbanecitycouncilcomplaints.com.au

In a nutshell, Counci is deliberately impacting and denying the ability of the applicant to provide a robust S75 notice representations and/or S230 appeal due to the withholding on the misleading detail of approvals conditions.

Council is making irresponsible, misleading and untruthful representations in both the approval conditions and in the Council notes on the approved plan.

Joel Wake has refused to provide answers verbally or in writing to the following questions.

Maragert Orr has refused to provide answers in writing to the following questions.

Lucy Ting on 9/10/24 by telephone has refused to provide answers to these questions and hung up after 60 seconds. Please desist in this sort of behaviour.

Please do not use words in your responses such as “happy” or “unhappy”, as Ms Orr has done. Just be direct and specific.

The following are provided for your information –

(2)

Index

Crossections and plan view of Council design.

Side elevations and plan view of Council engineered designed sham charged stormwater line ending between .904m, .984m and 1.269m below lawful point of discharge 35.100.

Applicant plan view and side elevations of applicant design.

Usable building pad areas, including finished ground levels.
Cut areas.
Fill areas (zero)
Remaing areas untouched
Lawful point of discharge on Ashridge Rd
Location of stormwater pits and lines for Lots 1 and 2
Legal point of dicharge for Lots 1 and 2
Driveway location
Retaining walls

Calculations of falls of Council sham stormwater proposal red line.

Scenario 1 – minimums as per BSD 8111. 225 pipe, 450 cover, .5 degree fall.
Includes BCC sham triangle not compliant with BSD 8111 required setback of 600mm.

Scenario 2 - minimums as pre BSD 8111. 225 pipe, 450 cover, .5 degree fall.
Includes compliance with BSD 8111.

Scenario 3 – conservative 225 pipe, 600 cover, 1 degree fall

Letter 14/10/24, Court doc 74, dated 14/1/26

(3)

Index

STORMWATER MARK UPS ARE INDICATIVE ONLY AND SUBJECT TO FURTHER DETAILED DESIGN

Council owns the land. I have already invited Joel Wake to inspect the property with a free laser, but he refused. No wonder he said to myself on the phone on 1/10/24 he hadn't assessed the stormwater calculations, nor engineering, nor "easement document to be prepared by Council"

3. Please provide all information Council used in the calculation of their note above. Who is lying – Margaret Orr, or the red line? Which one is it? You have either assessed in full or you havn't.

4. Why is there no "detailed design ?"

Why should an applicant be required to make a S75 or S230 on a sham Council red line that is subject to detailed design?

"Took all assessment matters into account –

Margaret Orr , Brisbane City Council

Margaret Orr
Team Manager, Planning Services | Development Services
City Planning and Sustainability | BRISBANE CITY COUNCIL

and in accordance with the provisions of the *Planning Act 2016* (the Act). Council's Delegate took all assessment matters into account, and concluded that the application was in accordance with the

Letter 14/10/24. Court doc 74, dated 14/1/26

13

Index

I have attached plan view and crosssection to demonstrate that the BCC red line shown of the BCC approved plan is charged.

The red line is charged by .907 m using BSD 8111 requirements of 225mm pipe, 450 cover and .5% degree fall, but using illegal sham triangular line which is not within 600 mm of the boundary.

The red line is charged by .984 m using BSD 8111 requirements of 225mm pipe,450 cover and .5% degree by using legal method of keeping line 600mm of the boundary.

The red line is charged by 1.269m by using conservative 225mm pipe,450 cover and 1% degree fall.

9. Please advise if you disagree with the above statements highlighted in yellow.

10. Please provide BCC surface and invert levels of BCC proposed stormwater red line plan for supposed upslope rear lots used in the assessment of the red line. This has been asked many times to BCC including Joel Wake verbally and letters in writing recently. Council refuses to supply same. Dishonest. It is your design, not mine.You take ownership of the red line.

Upslope definition

There is no definition of "Upslope" or "Upslope Lots in BCC definitions".

7.6.5 Provision of drainage for future upslope development of a neighbouring property

1. Provision must be made for the future orderly development of adjacent properties with respect to stormwater drainage where at least part of those upslope properties would drain through the development, or the most feasible location for stormwater drainage infrastructure to service those properties is within the development.
2. If a piped drainage connection is provided for up-slope development, the drainage infrastructure must fully extend to the boundary of the up-slope site to ensure that the up-slope property owner does not have to undertake works in the down-slope property to connect to this stormwater infrastructure.
3. Where a pipe is used to facilitate an up-slope stormwater connection (now or in future) the minimum pipe size is 225mm nominal diameter for any development. This stormwater pipe must be connected to a lawful point of discharge.
4. The development is to design any up-slope stormwater connection for fully developed catchment flows.

It is my contention that **no part of the rear properties "would drain through the development".**

The question of "would drain through the development " needs to have the tests applied.

Letter 14/10/24, Court doc 74, filed 14-1-26

(16)

Index

(2)

But it is an untruth if you don't assess but you state in a letter 3/10/24 that all matters have been assessed.

The applicant has no obligation to provide information in a development application where the proposed sewerage line wil go. You should have telephoned the applicant. You had 9 weeks to assess. Laziness reeks.

Note however, Council does require a final certificate from Urban Utilities.

It appears that the following Development Services Team members did not assess this matter because they didn't ring the applicant. They just placed a red line on the approved plan straight over an Urban Utilities sewerage line. This is laziness and demonstration of an untruth or a professional blunder. One or both.

Margaret Orr
Joel Wake
Lucy Ting
Scott Ruhland
Tom Gibbs
Zarndra Piper

This connection of private to Urban Utilities will have a new I/O (Inspection Outlet). This connection will be vertical, in the middle of the Brisbane City Council easement of 900mm wide. The I/O will have a cap on top with three screws for inspection when there is a problem.

If the problem is in the Urban Utilities pipe, they are responsible for the mainenance..

If the problem is in the private drainage pipe, the land owner is reponsible.

Questions –

1.See below Queensland Development Code requirements and Building Work definition. The stormwater pipe is Building Work.

Please advise –

How the stormwater pipe "will not adversly affect the operation of the infrastructure (exiting sewerage)"

How will the stormwater pipe not "Place a load on the infrastructure that could adversely affect the infrastucture."

Letter 21/10/24. Court doc 73, filed 16-1-26

(39)

Index

Letter 21/10/24 Court doc 73, filed 16-1-26

(3)

2) Can Brisbane City Council forward me a copy of the **consent from Urban Utilities** to have a vertical I/O sticking up through the heart of the proposed Stormwater Pipe ?

3) Can Brisbane City Council provide a statutory declaration signed by Margaret Orr stating that the proposed stormwater pipe and easement are not in conflict of the Zone of Influence legislation under the Queensland Debevelopment Code of the sewerage pipe and stub proximity to the proposed stormwater pipe.

4) Can Brisbane City Council lodge with the Planning Court a statutory declaration signed by all Development Services team members a 3d design of -

- the vertical I/O
- the sewerage pipe
- the private drain connection.

5) Can Brisbane City Council lodge with the Planning Court an affidavit of the **consent from Urban Utilities for Brisbane City Council to have an easement over the same land** that Urban Utilities has a statutory easement over ?

6) Can Brisbane City Council lodge an affidavit with the Planning Court a copy of the proposed easement document showing the arrangements if there should be a future requirement for Urban Utilities to excavate the land to either replace their 100mm sewerage pipe, or repair.

7) I have ordered a Council drainage for further clarity. Note Melinda of Brisbane City Council Service centre , 11.57 am 19/10/24 said to me **"I warn you that Council cannot gurantee the accuracy of the Brisbane City drainage plan".**

Please forward the applicant in affidavit form a guaranteed location of the sewerage stub and height in AHD, surface level, invert level, distance from all boundaries on Lot 2. Please put this in affidavit form, for Planning Court purposes. The judge needs this.

8) Margaret Orr, Team Leader, said in an email to David Manteit " been assessed by Council's Development Services Team" "All matters have been taken into account." Can Margaret Orr please provide an affidavit to state that this matter has been assessed, in accordance with her previous statement "all matters have been taken into account"

6) Could any of the Brisbane City Council Development Services Team advise which person assessed/addressed the design of the private drain to sewerage stub in the proposed easement plan and easement documentation.

(40)

Index

Outlook

128 ASHRIDGE RD DARRA DAVID MANTEIT EASEMENT DOCUMENT AND OTHER

From david manteit <davidmanteit@hotmail.com>
Date Tue 22/10/24 11:34 PM
To LordMayor <lord.mayor@brisbane.qld.gov.au>
Cc Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; sarah.mccabe2@brisbane.qld.gov.au <sarah.mccabe2@brisbane.qld.gov.au>; city.legal@brisbane.qld.gov.au <city.legal@brisbane.qld.gov.au>

Letter attached.

Response required 10am Wednesday.

Yours Faithfully

To Lord Mayor -

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

"EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24"

Letter 22/10/24 to Lord Mayor.
Court doc 74, filed 14-1-26

Index

Letter to Lord Mayor, 22/10/24, Court doc 74, filed 16-1-26

David Manteit
82 Rowe Tce
Darra 4076

22/10/24

The Lord Mayor
The Manager
Brisbane City Council

cc.
Sara McCabe
City Legal
Margaret Orr
Tom Gibbs
Zarndra Piper
Joel Wake
Scott Ruhland
cc. brisbanecitycouncilcomplaints.com.au

cc. Planning and Environment Court Registry

128 ASHRIDGE RD DARRA EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24 AND OTHER

I have written to the Lord Mayor again because all the named parties refuse to respond, including City Legal.

City Legal have been sent six emails and no acknowledgement or response. It is incredible that the City of Brisbane has no working legal section or apparent legal representation.

I have served documents for a Planning and Envirnment Court case and no acknowledgement from Brisbane City Council in writing.

Brisbane City Council appears to have no ordinary nor legal representation. You leave me no option but to correspond with the Lord Mayor and filing with the Planning and Environment Court until the matters are resolved.

1) I require the document wording.of the easement document, as per your duty of the approval. I need this -

- In the ordinary course of business of progessing design.
- Possible S75 representations
- Possible S230 appeal, rolling over from the current matter.

(46)

Index

Letter to Lord Mayor, 22/10/24, Court doc 74, filed 16-1-26

- **The Planning Court judge will want this material filed now.** Time is of the essence. Your failure to provide may be seen as general contempt of the applicant, your ratepayers who will be footing the bill, and the Court Judge, since I have asked Council some 20 plus questions on the easement document many times including of 1/10/24. That is 21 days ago. Silence. Why ?

- Silence. Council is hindering my business. Damages have already been requested in orders for loss of busines.

Engineering

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots to preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

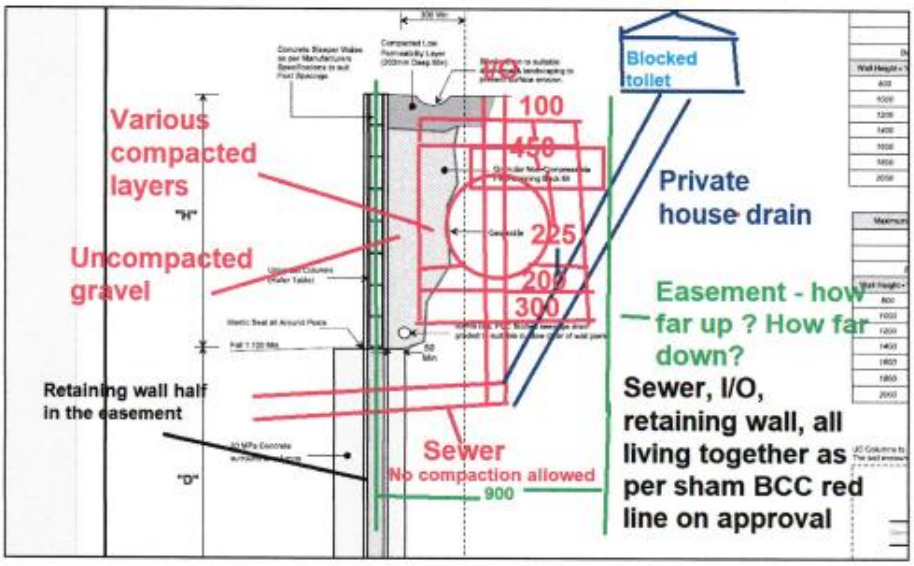
7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane City Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

I mention that the easement will affect many many items for construction.



47

Index

Letter to Lord Mayor 22/10/24, Court doc 74, filed 14-1-26

Is Lucy Ting in possession of a crosssection of how sewerage,retaining wall and stormwater pipe would cooexist, or even get signed off for design and construction? Please supply.

Name of private certifier to sign off the building works, ie, that comply with the Queensland Development Code in that the stormwater pipe compaction during the construction will not adversely affect the sewerage assets in the zone of influence.

This is why I need to sight the specific wording of the easement. I must identify all easement constraints additional to the construction constraints.

We still don't know if one has to use a helicopter to jump over the sham triangle.

The stormwater pipe itself is already mutually incompatible with the retaining wall and the sewerage pipe. No engineering can successfully have all items of stormwater pipe engineering, sewer pipe engineering and retaining wall engineering to be constructed on top of each other. The retaining wall engineer will not sign off because of your stormwater pipe. Urban Utilities will not sign off with the presence of your stormwater pipe, which will be compacted down on top of their sewerage pipe.

Council designed the red line. Council has a responsibility to advise how to construct the pipe such that any party can recover damages from the other party for failure of their system.

This is apart from the charged sham pipe calculations ending up1-1.5m below the kerb.

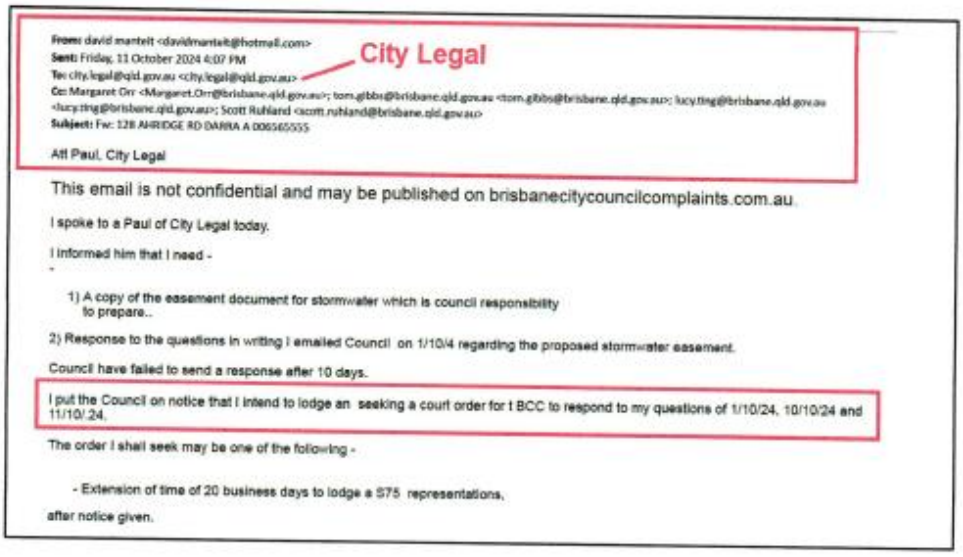
This is apart from the sham requirement to fill the block, which will not raise the requirement for the neighbour's stub to be 450 cover.

I assume your employee solicitor has now been struck off, due to refusal to acknowledge the existence of applicant to Council Court warning emails, including email of 11/10/24. This is -

- A dishonest but very foolish and childish tactic for a solicitor since 6 other employees were cc. at the same time. I offered her fours to check and get back to me. She still refused.
- tampering with evidence
- reduces my attempt to obtain costs
- dilutes my argument.

Index

Letter to Lord Mayor, 22/10/24. Court doc 74, filed 14-1-26



From: david manteit <davidmanteit@hotmail.com>
Sent: Friday, 11 October 2024 4:07 PM
To: city.legal@qld.gov.au <city.legal@qld.gov.au>
Cc: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>
Subject: Fw: 128 AHRIDGE RD DARRA A 006565555

City Legal

Att Paul, City Legal

This email is not confidential and may be published on brisbanecitycouncilcomplaints.com.au.

I spoke to a Paul of City Legal today.

I informed him that I need -

1) A copy of the easement document for stormwater which is council responsibility to prepare..

2) Response to the questions in writing I emailed Council on 1/10/4 regarding the proposed stormwater easement.

Council have failed to send a response after 10 days.

I put the Council on notice that I intend to lodge an seeking a court order for t BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/.24.

The order I shall seek may be one of the following -

- Extension of time of 20 business days to lodge a S75 representations,

after notice given.

This and another City Legal emails will be in affidavit with the Court in the next few days. You are already in possession of all of these emails with no response or confirmation to the applicant.

Does City Legal exist ? The receptionist on Level 16 last Friday there was nobody present in City Legal in the building.

The Council choice not to respond to a legal notice warning on 11/10/24 is your problem not mine. You now need to pay my damages.

I await your urgent advices.

Yours Faithfully

DAVID MANTEIT – APPLICANT

49

Index

Outlook

STAT DEC FAVID MANTEIT 128 ASHRIDGE RD DARRA 2916/24

From david manteit <davidmanteit@hotmail.com>
Date Fri 25/10/24 12:20 PM
To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>; LordMayor <lord.mayor@brisbane.qld.gov.au>

1 attachment (9 MB)
Sat dec 25-10-24.PDF;

Letter to Lord Mayor, 25/10/24. Court file 74. Filed 16-1-26.

Sta dec attached.

Yours Faithfully

No response.

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

51

Index

25/10/24 (1)
Stat Dec
25/10/24

QUEENSLAND

Oaths Act 1867

STATUTORY DECLARATION

I, **David Manteit of 82 Rowe Tce Darra 4076 state under oath as follows:**

1. I sent by email the following correspondence to City Legal and other Brisbane City Council employees

2. As of 25/10/24 I have received no response from City Legal and or other Brisbane City Council employees.

3. The alleged Brisbane City Council Solicitor Sara McCabe has repeatedly intentionally refused to acknowledge these documents.

   Ms McCabe said to David Manteit in a telephone conversation on 21/10/24 that she refused to examine emails sent by David Manteit to City Legal. I offered her 4 hours to check. She said I don't have access to City Legal emails and I am not willing to access those emails.

   This is a childish and foolish attempt to hoodwink the appicant and hinder the court process.

   The actions by McCabe has caused the triggering of this Court Case by the applicant after two legal warnings on 11/10/24 and 14/10/24. McCabe has deliberately and categorically hidden the acknowlegdement of those warnings.

   The actions by McCabe have caused additional costs to the applicant and Brisbane City Council and ratepayers . McCabe has now caused a requirement for subpoenas to be issued to the Development Serices Team.

   Ms McCabe has refused to acknowledge legal warning notices sent to Brisbane City Council on 11/10/24 and 14/10/24.

   Sara McCabe should be struck off the defence team of Brisbane City Council.

   The alleged improper actions by Council employees are of public interest to ratepayers and Brisbaneites at large.

Letter to Lord Mayor, Stat dec, dated 25/10/24. Court doc 74, filed 16-1-26.

Index

(2)

Page 2 of 30

I am seeking responses to questions below as to some conditions of the approval, as per BCC advice attached with approval. I have not received responses to these questions as of Friday 11/10/24 I provide more information below and more questions,

It is also noted that there has been no response to my last letter re easement questions, on 1/10/24.

Please provide your answers to the following questions by Tuesday 12pm 14/10/24 or any action may be commenced forthwith requiring the proper responses before any decision notice by Council in relation to a S75 notice by the by applicant, or court order made from an appeal. Alternatively it will be ordered that certain clauses of the approval will be deleted and costs awarded to the applicant.

I wish to advise that any refusal to provide truthful and transparent responses could be cause legal and other costs to the applicant, as awarded in the Planning and Environment Court.

Extract of court case warning by David Manteit 14/10/24.

From: david manteit <davidmanteit@hotmail.com>
Sent: Friday, 11 October 2024 4:07 PM
To: city.legal@qld.gov.au <city.legal@qld.gov.au>
Cc: Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>
Subject: Fw: 128 AIRBEKE RD DARRA A 000565555

Att Paul, City Legal

This email is not confidential and may be published on brisbanecitycouncilcomplaints.com.au.

I spoke to a Paul of City Legal today.

I informed him that I need -

1) A copy of the easement document for stormwater which is council responsibility to prepare..

2) Response to the questions in writing I emailed Council on 1/10/4 regarding the proposed stormwater easement.

Council have failed to send a response after 10 days.

I put the Council on notice that I intend to lodge an seeking a court order for t BCC to respond to my questions of 1/10/24, 10/10/24 and 11/10/.24.

The order I shall seek may be one of the following -

- Extension of time of 20 business days to lodge a S75 representations.

after notice given.

Extract of court case warning by David Manteit 11/10/24.

4. These correspondences are part of the material of this Court Case.
5. The list of correspondences are as follows:

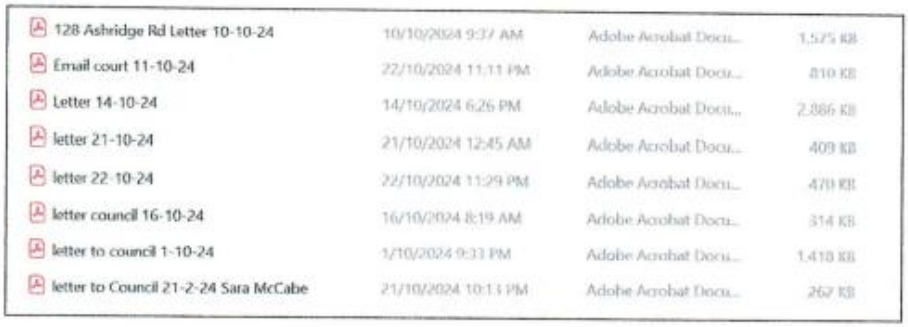
Letter to Lord Mayor, 25/10/24, Court doc 74, filed 16-1-26

No response

(53)

Index

(3)



128 Ashridge Rd Letter 10-10-24	10/10/2024 9:37 AM	Adobe Acrobat Docu...	1,525 KB
Email court 11-10-24	22/10/2024 11:11 PM	Adobe Acrobat Docu...	810 KB
Letter 14-10-24	14/10/2024 6:26 PM	Adobe Acrobat Docu...	2,886 KB
letter 21-10-24	21/10/2024 12:45 AM	Adobe Acrobat Docu...	409 KB
letter 22-10-24	22/10/2024 11:29 PM	Adobe Acrobat Docu...	470 KB
letter council 16-10-24	16/10/2024 8:19 AM	Adobe Acrobat Docu...	314 KB
letter to council 1-10-24	1/10/2024 9:33 PM	Adobe Acrobat Docu...	1,418 KB
letter to Council 21-2-24 Sara McCabe	21/10/2024 10:11 PM	Adobe Acrobat Docu...	267 KB

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.

I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code.

I state that:

This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.[xi]

DECLARED by

David Manteit.....

signature of declarant

at Brisbane.....

25/10/24

[date]

Signed for and at the direction of the declarant by*

JUSTICE OF THE PEACE (QUALIFIED) Reg No. 4713 DEPT OF JUSTICE & ATTORNEY-GENERAL

Charmaine Annette Thompson

JP Qualified

25/10/2024

(54)

Index

Outlook

DRAINAGE PLAN AFFIDAVIT

From david manteit <davidmanteit@hotmail.com>

Date Fri 25/10/24 7:33 AM

To Sarah McCabe <sarah.mccabe2@brisbane.qld.gov.au>; Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>; Joel Wake <joel.wake@brisbane.qld.gov.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>; tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; Scott Ruhland <scott.ruhland@brisbane.qld.gov.au>; LordMayor <lord.mayor@brisbane.qld.gov.au>; Zarndra Piper <zarndra.piper@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>; Emma Mezzina <emma.mezzina@brisbane.qld.gov.au>

1 attachment (839 KB)
letter 25-10-24.pdf;

Hi

Please see affidavit required from Margaret Orr na Jpe; Wake.

If this affidavit is not provided by 5pm today I reserve the right to subpoena these persons forthwith.

Please acknowlege this correspondence of this date.

I still have no acknowledgement of specific correspondnce. I require a list of received documents and their dates.

The Lord Mayor will continue to be provided my correspondence until this proper list of correspondence is provided to me, as every
other solicitor in Brisbane would,.

Yours Faithfully

Letter to Lord Mayor
25/10/24 Court doc 74,
filed 14-1-26

No response

David Manteit
CEO
0424 739 923
howtowineveryday.com.au

56

Index

David Manteit
82 Rowe Tce
Darra 4076

25/10/24

Letter to Lord Mayor, 25/10/24. Court file 74, filed 16-1-26.

No response

The Lord Mayor
The Manager
Brisbane City Council

cc.
Sara McCabe
City Legal
Margaret Orr
Tom Gibbs
Zarndra Piper
Joel Wake
Scott Ruhland
cc. brisbanecitycouncilcomplaints.com.au

cc. Planning and Environment Court Registry

128 ASHRIDGE RD DARRA DRAINAGE PLAN AFFIDAVIT REQUIRED

Attached and below is a copy of the Council supplied drainage plan.

128 ASHRIDGE RD DARRA A006565555

From Margaret Orr <Margaret.Orr@brisbane.qld.gov.au>
Date Thu 3/10/2024 5:09 PM
To davidmanteit@hotmail.com <davidmanteit@hotmail.com>
Cc Emma Mezzina <Emma.Mezzina@brisbane.qld.gov.au>; Zarndra Piper <Zarndra.Piper@brisbane.qld.gov.au>; CPAS-DS-PlanningSupport <DSPlanningSupport@brisbane.qld.gov.au>

Good afternoon David

Thank you for your email of 1 October 2024 about your development application at 128 Ashridge Road, Darra (application reference: A006565555).

As you are aware, this application was approved by Council on 25 September 2024 after being assessed by Council's Development Services team against the requirements of the *Brisbane City Plan 2014* (City Plan) and in accordance with the provisions of the *Planning Act 2016* (the Act). Council's delegate took all assessment matters into account, and concluded that the application was in accordance with the requirements of the City Plan, subject to the imposition of reasonable and relevant conditions and amendments in red.

I appreciate that you may not agree with the conditions and amendments to the plans, however, you have an option to suspend the appeal period to make change representations under s75 of the *Planning Act 2016*. Otherwise, you have the right to appeal the decision 20 business days after the notice of the decision is given, by lodging a notice of appeal in accordance with s230 of the *Planning Act 2016*.

I would like to also advise you to please treat all Council officers with respect, even if you are in disagreement with Council's position on a particular matter.

Thank you

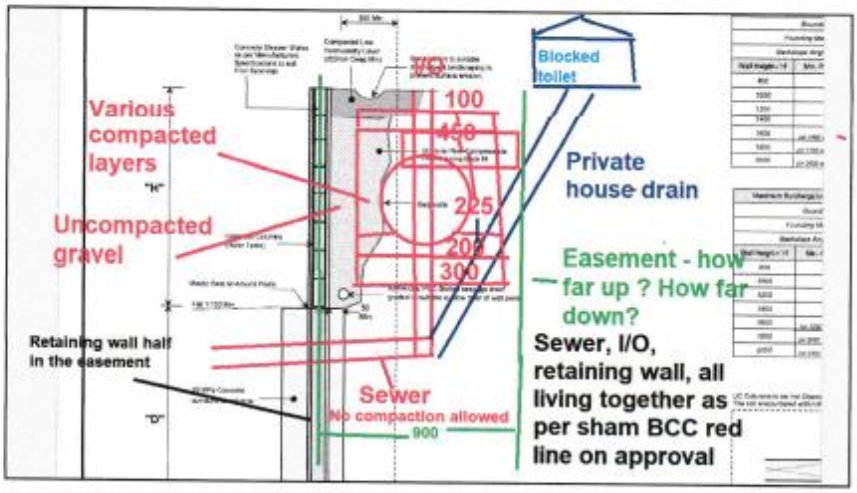
Kind regards

Margaret Orr
Team Manager, Planning Services | Development Services
City Planning and Sustainability| BRISBANE CITY COUNCIL

Index

(61)

Letter to Lord Mayor, 25/1024. Court doc 74, filed 16-1-26.



Above – Notes to STA Consulting retaining wall.

Building work

Building work is a term used to infer work that requires a QBCC licence and includes work:

- valued over $3,300
- valued over $1,100 where it involves hydraulic services design
- of any value where it involves:
  - drainage
  - plumbing and drainage
  - gas fitting
  - termite management—chemical
  - fire protection
  - completed residential building inspection

Above Building Work QDC including plumbing and drainage, ie Stormwater pipe

Just so the judge can be clear I require Margaret Orr and Joel Wake or other Council to provide an affidavit stating as follows:

1. **The following were assessed as per your statement "the Delegate all assessment matters were taken into account"**

The **sewerage pipe** and end cap, in the middle, and crossing at around 90 degrees of Council proposed stormwater easement.

(62)

Index

Letter 11/11/24. Court file 74, filed 16-1-26

David Manteit
82 Rowe Tce
Darra 4076
davidmanteit@hotmail.com

11-11-24

The Manager
Brisbane City Council
266 George St
Brisbane

cc. Joel Wake

Dear Sir and Joel Wake

Schedule 6 Planning scheme policies S6.16 Infrastructire design planning scheme policy – Chapter 7 Stormwater drainage.

Interest owing
Specific performance
Council explanation required.

I require the Council to provide explanation of how the requirements of S 7.4.7 Building near or over underground stormwater infrastucture below can be satisfied in the Council drawn and designed red line of approval of 128 Ashridge Rd Darra by Wednesday 5pm 13-11-24.

The said line is approximately 55 metres long with 5 pits and multiple kerb adaptors.

This line has been designed by Council and not David Manteit. Therefore the Council has responsibility to provide this information to David Manteit forthwith.

This information has already been requested by David Manteit.

In addition, the following is required –

Surface levels and invert levels of the pits. Cover, pipe diameter.

Compliance of construction with Council's BSD 8111.

Easement document as per S7 of approval.

Crosssection of trench

Build over sewer consent.

Vibration and compactio details

Name of Council person who designed the red line and their licence number.

66

Index

Letter to Council 11/11/24, Court doc 74, filed 14-1-26

7.4.6 Gully inlet capacities

Refer to BSD-8071 to BSD-8082 for the relevant hydraulic capture charts for gully inlets.

7.4.7 Building near or over underground stormwater infrastructure

1. For underground stormwater facilities with or without drainage easements and where pipes or conduits are greater than or equal to 225mm in diameter or width, building over/near stormwater requirements will be applicable if the site is subject to any 1 or more of the following conditions:
   a. any proposed works contravening the drainage easement terms;
   b. any earthworks (filling or excavation) proposed directly over or adjacent to the stormwater drainage or maintenance holes that will result in changes to surface levels or loading conditions over these stormwater facilities;
   c. any building work proposed over the stormwater drainage or maintenance holes;
   d. any proposed works that will affect the structural integrity of the drainage or its trench;
   e. proposed changes to the loading conditions on an existing maintenance hole cover, for example, changing the use of a non-vehicular trafficable area to a vehicular trafficable area;
   f. proposed use of rock bolts or ground anchors within 2m of the stormwater drainage;
   g. proposed property access width of less than 2m from the front entrance or access road to any maintenance hole or property connection located on site;
   h. proposed driveways or concrete pavements over maintenance holes or property connections;
   i. clashing of services or utilities (other than sewers) with the stormwater drain line that may affect the structural integrity of the stormwater drainline or its trench, or sewers larger than 150mm diameter crossing any stormwater drainline.
2. When building over stormwater an adequate buffer zone is required between the edge of foundation system and the edge of the stormwater infrastructure to minimise structural damage during excavation, boring or piling operations.
3. The following minimum horizontal clearances are required where undertaking such works near stormwater infrastructure and may need to be increased if it is anticipated that the pipe bedding will be affected:
   a. 1m clearance applies to an excavated footing system such as beams and pad footings excavated by backhoe or similar;
   b. 1m clearance applies to bored piers;
   c. 6m clearance applies to driven, vibrated or jacked piles.
4. Works shall be carried out in accordance with section 7.2.9 of AS/NZS 3500.3:2003 Plumbing and drainage - Stormwater drainage. Typically, where a drain is laid near to a footing, the trench shall be located beyond a 45° angle from the base of the footing, as shown by Figure 7.4.7.A.
5. When determining the minimum setback from existing stormwater infrastructure, allowance needs to be made for future upgrading of the pipeline to meet Council's design standards where this pipeline is undersized.

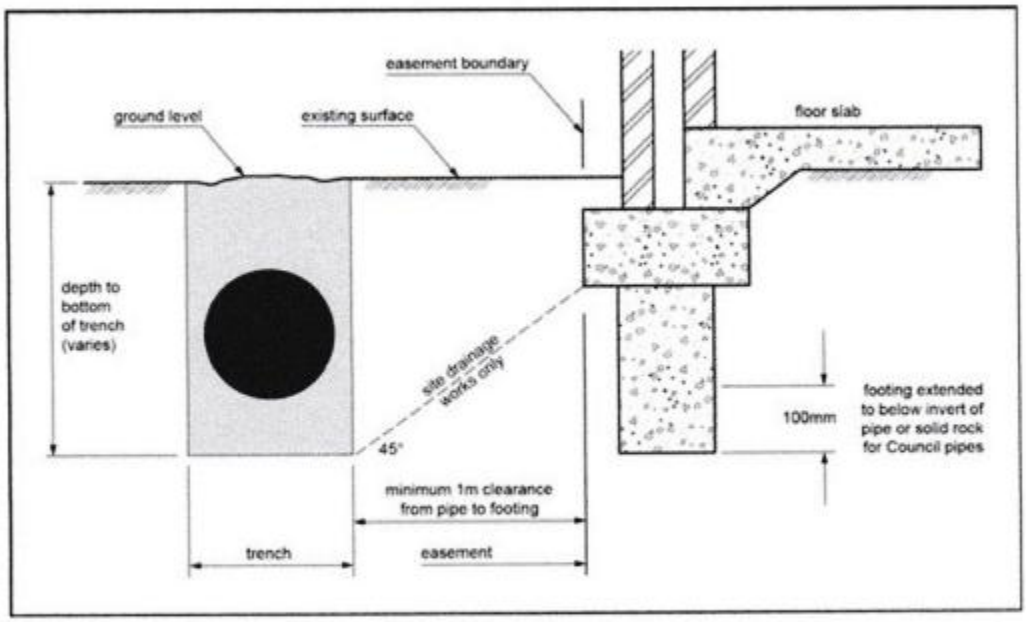


Figure 7.4.7a—Building near and over stormwater and subsoil drains

67

Index

Letter 11/11/24, Court doc 74, filed 16-1-26

The delegate Mr Joel Wake did not make an information request to David Manteit to prepare a stormwater plan for 128 Ashridge Rd Darra, as he did on the case of 143 Wakefield St Bald Hills, on 4-4-18.

The Council designed the red line. The Council is therefore responsible for the damages of the applicant should the red line not being able to be constructed.

The Stormwater line cannot be built as per Council's own guidelines.

Council refuse to supply a copy of the **Easement document**, which is a requirement of 7.4.7.

Should the information not be provided by Wednesday 13-11-24, David Manteit shall lodge an application to Court for specific performance and damages.

Specific performance to supply the said information which currently prevents David Manteit from construction of the red line.

Damages since the due date for the Delegate to provide an information request to David Manteit to' provide a stormwater plan. The interest rate of 12.75% compounded daily of purchase price and stamp duty shall be applied. **Approx $35,797.43 to 11-11-24.**

I await your advices by Wednesday 13-11-24 .

Court action shall be lodged to Council and Joel Wake personally, on or after 18-11-24.

Regards

DAVID MANTEIT

Index

QUEENSLAND LAND REGISTRY
Land Title Act 1994, Land Act 1994 and Water Act 2000

SCHEDULE

Form 20 Version 2
Page 2 of 3

Title Reference to issue out of

This is the Schedule referred to in the Form 9 Easement between [##] ('Grantor') and BRISBANE CITY COUNCIL ('Grantee'). The Grantor and Grantee DO HEREBY COVENANT AND AGREE with each other in the following terms:

1. Definitions and Interpretation

1.1. In this Easement, unless the context otherwise requires:

(a) **Authorised Persons** means employees, officers, agents, contractors, subcontractors, licensees and other persons claiming by, through or under the Grantee.

(b) **Easement** means this document (which includes the Form 9 and this Schedule).

(c) **Obstructions** means buildings, fences, walls, structures, (whether of the class just mentioned or not) or pavings.

(d) **Plant and Equipment** means vehicles, equipment, machinery, tools and materials.

(e) **Relevant Works** means underground drains, pipes, conduits and channels for the passage or conveyance of Stormwater Drainage and all manholes, manhole chambers, inlets, equipment and fittings in connection with or for the accommodation of any adjoining or neighbouring property or otherwise in the execution of the Grantee's drainage powers.

(f) **Servient Tenement** means the land described as such in Item 2 of the Form 9.

(g) **Stormwater Drainage** means rain water and associated drainage and stormwater run-off flowing in concentration either intermittently or occasionally.

(h) The expression 'the Grantee' shall include the successors of the Grantee.

(i) The expression 'the Grantor' shall include the respective transferees and assigns of the Grantor and the registered proprietor, owner (and their respective successors, executors, administrators and assigns as the case may be) and the occupier for the time being of the Servient Tenement.

(j) Words importing the singular number include the plural number and vice versa and words importing any gender include the other genders and words importing only persons include corporations and/or associations and/or bodies and vice versa in each respective case.

2. Grant of Easement

2.1. The Grantor hereby grants and transfers to the Grantee an easement for the full and free right and liberty at all times to enter upon the Servient Tenement to have, lay, construct and then forever use and maintain any such Relevant Works on, over, through or under the Servient Tenement as the Grantee considers appropriate as well as obtaining free and uninterrupted access to the Servient Tenement and any works or things located on or within the Servient Tenement.

3. Rights of Grantee

3.1. The Grantee and its Authorised Persons may, enter upon the Servient Tenement with full, free, uninterrupted access, right and liberty at all times:

(a) for the purposes of installing any Relevant Works;

(b) for the purposes of changing the size and number of, operating, inspecting, patrolling, altering, removing, replacing, reconstructing and/or repairing the Relevant Works;

Council prepared easement

Index

Title Reference to issue out of

(c) to enter upon and remain, pass and repass over, along and under the Servient Tenement or any part thereof with all Plant and Equipment considered necessary by the Grantee to undertake any Relevant Works;

(d) to dig into, sink shafts in, erect scaffolding upon and to open and break up the soil of the Servient Tenement or any part thereof (including the subsurface and the surface) and to bring and place Plant and Equipment in and upon the Servient Tenement or any part thereof; and

(e) to do such other incidental works and things through, across, in or under the Servient Tenement as the Grantee shall in its discretion think fit.

3.2. The Grantee will in exercising the Grantee's rights under clause 3.1 cause as little damage as possible. The Grantee will only be responsible or held liable for such damage or inconvenience to the owners, or occupiers for the time being, of any part of the land of which the Servient Tenement forms part or any subdivision thereof as may be caused or suffered by reason only of the neglect or default of the Grantee and its Authorised Persons.

3.3. For all or any of the above purposes, the Grantee and its Authorised Persons with or without Plant and Equipment, may have the right to use such land of the Grantor immediately adjacent to the Servient Tenement as may reasonably be required by the Grantee in connection with all or any of the said purposes.

4. Grantor's obligations

4.1. Notwithstanding the generality of the foregoing, the following provisions shall apply:

(a) the Grantor shall not:

(i) erect any Obstructions; or

(ii) erect, permit or suffer to remain any Obstructions on the land of the Grantor immediately adjacent to the Servient Tenement;

whereby the rights of the Grantee set out in this Easement are materially restricted or diminished unless and to the extent only that any such Obstructions are permitted in writing by the Grantee and only on such terms and conditions as the Grantee may impose or require in the event of such permission being granted.

(b) In the event the Grantor acts or omits to act or suffers an act or omission in contravention of the provisions contained or implied in this Easement, the Grantee may if it chooses to in its absolute discretion, but is under no obligation to:

(i) demolish, remove or otherwise dispose of any Obstruction or thing whatsoever at any time on or in the Servient Tenement in contravention of the foregoing provisions; or

(ii) issue a notice in writing to the Grantor to rectify any breach of its obligations under this Easement by undertaking works including, but not limited to, the works detailed in item (i) above;

at the cost of the Grantor.

5. Costs

(a) The Grantor is responsible for the cost of complying with the Grantor's obligations set out above including where the Grantor acts or omits to act or suffers an act or omission in contravention of the provisions contained or implied in this Easement, and for the costs, charges and expenses of and incidental to the preparation, stamping and registration of this Easement.

(b) The Grantee is responsible for the cost associated with the Rights of the Grantee as set out above and is not required to contribute to the cost of maintaining the surface level of the Servient Tenement.

Index

2. Grant of Easement

Council have right to access and at all times to Council ... to construct .. forever...such works

2.1. The Grantor hereby grants and transfers to the Grantee an easement for the full and free right and liberty at all times to enter upon the Servient Tenement to have, lay, construct and then forever use and maintain any such Relevant Works on, over, through or under the Servient Tenement as the Grantee considers appropriate as well as obtaining free and uninterrupted access to the Servient Tenement and any works or things located on or within the Servient Tenement.

3. Rights of Grantee

3.1. The Grantee and its Authorised Persons may, enter upon the Servient Tenement with full, free, uninterrupted access, right and liberty at all times:

4. Grantor's obligations

4.1. Notwithstanding the generality of the foregoing, the following provisions shall apply:

(a) the Grantor shall not:

(i) erect any Obstructions; or **Carport**

(ii) erect, permit or suffer to remain any Obstructions on the land of the Grantor immediately adjacent to the Servient Tenement; **House - Corrigan stormwater isunder the house pad**

whereby the rights of the Grantee set out in this Easement are materially restricted or diminished unless and to the extent only that any such Obstructions are permitted in writing by the Grantee and only on such terms and conditions as the Grantee may impose or require in the event of such permission being granted.

(b) In the event the Grantor acts or omits to act or suffers an act or omission in contravention of the provisions contained or implied in this Easement, the Grantee may if it chooses to in its absolute discretion, but is under no obligation to:

(i) demolish, remove or otherwise dispose of any Obstruction or thing whatsoever at any time on or in the Servient Tenement in contravention of the foregoing provisions; or

(ii) issue a notice in writing to the Grantor to rectify any breach of its obligations under this Easement by undertaking works including, but not limited to, the works detailed in item (i) above;

Index

Judge Williamson KC **30-4-25**

Because suspect what we find is that as a matter of practice, or at least my experience many years ago, Mr. Monty, is that when a plan of subdivision is ready to be sealed, or on its way for sealing, the Council are provided with as constructor drawings and a plan of subdivision. And then at that stage, with the benefit of where the pipes are.

David Manteit

I live on one now. I live one metre away from the backyard. We put the..

Judge Williamson KC

.No, no, you're not listeningto me. It's a matter of timing.

David Manteit

But the timing is, I need it now to run my next case, Your Honour. Am I going to be able to send an email tomorrow and say, give me the easement? Because I want to know if it's going to go this way, that way in my front yard. Please, where can I get that?

Judge Williamson KC

Because what I'm leading to is, the easement that would be granted in favour of council. I suspect it has long had standard conditions or standard terms of the easement and the actual location of the easement.

David Manteit

Fantastic, where are they since 1st of October? But those standard terms need to be adjusted to reflect. Exactly, that's why I need them now. I need that, it's in file, 1st of October, 28 questions. It's on the website, 28 questions.

I don't know what's in there. I can't design this project here if I don't have that standard before we change the standard. I don't know why we can't get that from city legal who was sitting here.

Judge Williamson KC ***30-4-25***

Because you understand the easement has two parts to it at least. you'd need to know where the underground.

David Manteit

It has the survey plan to be lodged, and it has the wording of the easement documented.

Judge Williamson KC

Okay. Please don't interrupt me.

David Manteit

Oh, you asked me a question, right?

Judge Williamson KC

No, I didn't. You said, do you know what that means? Oh, okay. Sorry. Strictly correct. Again, rhetorical. It has two... It has an easement document. An easement, grant of an easement, has integers to it. One of them is the location of the easement.

But here that's to go to the underground drainage and access over the drainage infrastructure provided for.

Index

David Manteit

Mystery. Yeah

30-4-25

Judge Williamson KC

And you know why it's a mystery? Because you haven't designed it. Oh whoops.

David Manteit

But I can't design it unless I know what's in it Your Honour

Judge Williamson KC

No no you can because what the council have told you is there's an underground they want an easement in relation to your underground drainage, no less than 900 millimetres.

David Manteit

But Mr Corrigan says I've got to be driving over it twice. I don't know what it says. Is it this deep? Is it volumetric? Can you plant grass? Can you put concrete on top? I don't know. I don't know how I can incorporate that shoved up to a retaining wall. It says in section 4.7, it says you must look at the easement terms. That's the law, section 7.47. Look at the easement that's not contrary to the easement terms. I haven't got the easement terms. I don't know what's contrary.

Judge Williamson KC

Mr. Monty, you told me you're a developer. and you've developed other land which has been subdivided. As part of that experience, have you happened to come across easement documents from the council for drainage purposes?

David Manteit

I've got four easements one metre away from my breakfast table, which I have managed quite well by getting those documents in the past, but they don't seem to be forthcoming as of 1 October before any court cases. I can't design anything without that. And city legal, in the conditions, they're the ones that draw it up. They've got the responsibility. Why can't you send me down a standard easement to start? That's the way we do things. It's not my responsibility to draw it up, but there's no use getting to the subdivision. We go through this all over again. I'm sorry, we haven't got the easement. No, we're not. No, we're not. We don't know.

Judge Williamson KC

Just shh, quiet. This is what we're going to do. Where's Hedge? I have an idea, unorthodox as it might be, is it at all possible that your instructing solicitor could provide to Mr. Monty the standard terms of council's easements which involve underground drainage and access? bearing in mind that it would be standard terms. it's not intended to be final and subject to detail that is to follow in the form of survey plans and design detail.

Susan Hedge

I understand the question, I'll get some instructions

Index

Susan Hedge

I understand the question, I'll get some instructions

30-4-25

David Manteit

[redacted] which has corrupted our defence because we can't use it as a defence because we haven't got the information contrary to the easement terms. Can't use that as a defence. because we haven't got the easement. So we haven't been able to give a full case on zone of influence because section 747, it says, you must not do anything that's contrary to the easement terms. We cannot, we don't get the easement terms. So we can't argue our case on that. Are you still challenging condition seven or not? No.

Judge Williamson KC

So you're not challenging?

David Manteit

No. But I'm going to need it tomorrow to start the next case and the next application.

Well, I'm trying to get it for you as quickly as possible. And we're going to go through the same thing, wait nine months.

Susan Hedge

The answer is that we can provide it in standard terms only, not a people spoke document by close of business tomorrow.

In the Planning and Environment Court — No 2916/24
Held at: Brisbane
Between: **David Manteit** — Appellant
And: **Brisbane City Council** — Respondent

AFFIDAVIT

David Manteit of 82 Rowe Tce Darra, developer, under ~~oath~~/affirmation says –

1. I attach Exhibit "A" of correspondence. paginated 1-36

Signed: Deponent — Taken by: Justice of the Peace

~~Sworn and~~ affirmed by David Manteit on 4/12/24 at Richlands in the presence of:

Deponent — KENNETH GEOFFREY FINNEY, Justice of the Peace

AFFIDAVIT

David Manteit
82 Rowe Tce Darra 4076
0424 739 923
davidmanteit@hotmail.com

Planning and Environment Court

Manteit V Brisbane City Council

Exhibit "A"

1. Email to Council 1/10/24
2. Email to Council 10/10/24
3. Email to Council 16/10/24
4. Email to Council 25/10/24

Deponent — Justice of the Peace

Index

1/10/24 (2)

Outlook

128 AHRIDGE RD DARRA A 006565555

From david manteit <davidmanteit@hotmail.com>
Date Tue 1/10/2024 6:00 PM
To sandra.piper@brisbane.qld.gov.au <sandra.piper@brisbane.qld.gov.au>
Cc tom.gibbs@brisbane.qld.gov.au <tom.gibbs@brisbane.qld.gov.au>; scottruhland@brisbane.qld.au <scottruhland@brisbane.qld.au>; lucy.ting@brisbane.qld.gov.au <lucy.ting@brisbane.qld.gov.au>

Dear Sirs

7) Grant Easements

Grant the following easement(s) as may be required:
(i) Easements, in favour of Brisbane City Council for:
- Underground drainage and access purposes (no less than 900mm wide) over the drainage infrastructure provided for the upstream lots to preserve the rights of upstream owners

Timing: As part of the plan of subdivision notated by Council, and then to be maintained.

7(a) Submit Plan of Subdivision and Documentation (Council Easement in Gross)

Submit to, and obtain approval from, Development Services a plan of subdivision showing the easement and a request for Council to prepare the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements in favour of the Brisbane City Council must have the necessary easement documentation prepared by the Brisbane Ci Council, free of cost to Council.

Timing: Prior to submission of the request pursuant to Schedule 18 of the Planning Regulation 2017 for Council's notation on the plan of subdivision necessary to comply with this condition or give effect to this approval.

7(b) Submit Plan of Subdivision and Documentation (other Easement) **What other easement ? BC incon**

Submit to, and obtain approval from, Development Services, a plan of subdivision showing the easement and the necessary easement documentation to demonstrate compliance with the requirements of this condition.

Note: Easements not in favour of the Brisbane City Council must have the necessary documentation prepared by the applicant's private solicitors.

I request that BCC respond to my request to the following in relation to S 7 of the approval dated 25-9-24 (not yet received by me from an assessment manager).

Council never gave myself, as applicant, an information request requiring myself as applicant to design a stormwater pipe. Council has taken it upon themselves
to provide a half baked red line on a plan of subdivision, without any details. You designed it. I did not.

Council did not provide this plan as prepared by them prior to final approval.

I contend that is laziness and incompetence by the Council.

This action has reduced and eliminated the time afforded by the applicant to respond with the timely analysis and response by private RPEQ consultants.

The Council has already defaulted in not providing the decision on or prior to 35 business days. You had all this time but still couldn't be bothered to provide an information request. A monetary compensation will be vigorously pursued by myself in the coming days.

The Planning Court will see BCC actions as lazy and incompetent.

My initial assessment of the BCC designed stormwater plan is that -

- Council stormwater plan does fot work, for many reasons. This shall be revealed after you provide answers to the following questions.

- There are no "upstream lots" or "upstream owners" to the subject site. In addition, there is no terms in the City Plan 2014 of these descriptions.

Council have invented and designed the stormwater pipe and prepared the plan themselves, so the onus is on BCC to to provide answers to the following questions.

I request BCC provide the answers by 12pm, tomorrow, 2-10-24

Time is of the essence , as per the Planning Act 2016, and the Planning and Environment Court.

Easement document.

1) Please provide proposed **surface levels and invert levels** of the 225mm stormwater pipe.

Index

3

12/2/24, 9:00 PM 128 AHRIDGE RD DARRA A 0065 i65555 - david mantell - Outlook

2) Please provide **cover distance above, below, left and right** of the 225 stormwat er pipe. Note any requirements below that may affect this cover d
distance..

3) Is there restriction for **other stormwater pipes**, besides the BCC pipe, such as house stormwater pipes. If there are no restrictions

4) Is there restrictions in the easement document for **other services** such as NBN, power, water supply copper pipes.

5) Is there restriction for **existing retaining wall above ground** as to the component inside the boundary.

6) Is there restriction for **existing retaining retaining wall footings below ground** as to the component inside the boundary.

7) Is there restriction for any **future retaining wall** above ground as to the component inside the boundary.

8) Is there resriction for around 300mm **drainage gravel** required by retaing wall engineered design.

9) Is there restriction for a **fence above retaining wall** in relation to that part inside the boundary

10) Is there a restriction for **vegetation** to be planted in the easement.

11) Is there a restriction for a **concrete slab pathway** in the easement. Note that the design for this may not be possible as it would be regarded as a floating slab for engineering purposes.

12) Is there a requirement in the easement for good **maintenance** by BCC or the owner.

13) What hours of the day can BCC **inspect** their easement.

14) What is the proposed **type of surface** of the easement. This needs to be imperveous.

15) Please provide **engineered drawings** for the top imperveous surface of the easement.

- Please advise how **thick** this surface would be.
- Please provide what **material** the surface is. If this is proposed to be concrete, please provide what MPA.
- Please provide what size **mesh** to be used, if one or two layers, F62 or F72,
- Design of **spoon drain** to carry water away from the imperveos surface and **legal** point of discharge for the imperveous surface.

16) Please provide **depth of spoon drain.**

- Please provide minimum **slope** of imperveous surface both in direction of travel and accross.

Please provide crosssection of the above, for clarity. This information affects surface levels and invert levels.

17) Please provide any **restrictions** of the easement in any way, shape or form.

18) Please provide any other requirements of any restriction.

19) Is there a **guarantee** that the Council will repair a broken stormwater pipe that could cause water under the house slab, cracking of the house slab, and perhaps an inhabitable house.

20) Does the easement document provide for solutions under the **Queensland Development Code.**

21) Can the easement be used by the occpupant for **fire escape purposes** as part of a fire safety management plan.

22) Is a fence required for the easement.

23) Can a carport without footings in the easement be built over stormwater easement.

24) Does the easement allow for a toe footing as per BCC standard footings design.

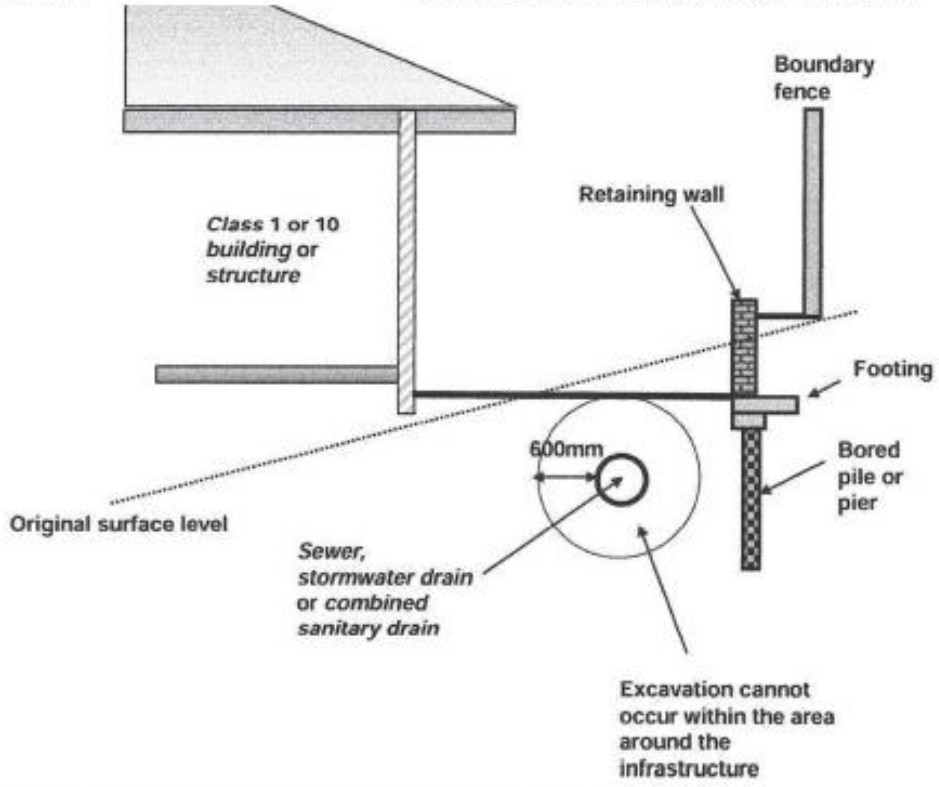
25) Is a stormwater maintenance hole required. This will affect invert level heights.

26) Does the easement restrict distances to retaining walls and houses. See Queensland Development Code example.

Index

4

12/2/24, 9:00 PM 128 AHRIDGE RD DARRA A 006565555 - david manteit - Outlook



27) Please respond as to what "other easement" means. Is this BCC incompetence ?

The above list is not an exhaustive list. There will be more questions.

If you refuse to respond to these questions on "YOUR DESIGNED RED LINE" then I encourage the court to consder this action and to take into account any costs of the case.

It is stated in the approval that Council will prepare the easement document. This is your responsibility, not mine.

Please provide by 5pm today responses to the above questions and the following -

- **wording and**
- **all plan view and**
- **cross sections front, back, left, right that take onto account all of the above.**

Assessment Manager

Please advise who the assessment manager for Planning Act definition , S60 purposes
is for the application. There was a person today on the phone whi states his name as Joel wake who
said he is the assessment manager but on the only correspondence provided by him on 26-9-24 it says he is a
Senior Urban Planner.

On Development I it says he is a development officer. I have previously this question in writing many times
who is the Planning Act assessment manager. No response
from BCC so far. This may affect the interest charges to BCC coming shortly.

It is best you appoint another person for your phone calls, instead of someone who ducks and weaves,
emotionally unstable in my opinion. He refuses to answer any questions whatsoever, harrases the applicant without myself
calling him. An intelligent, experienced person does not act like this way.

Above – 26 questions on the Council easement sent to 7 Council employees on 1/10/25. Never responded to Manteit.

Index

43. Table 1 - List of laws allegedly broken in the past by -

- Unlicenced Council employees 7-10 persons
- Licenced Council employees Blake and Ting
- Council instructed witness Andrew Corrigan (that Hedge accepts)
- Forcing of Applicant's RPEQ and plumber to lose their licence and receive fines of $751,000.
- Trespass into rear neighbour's properties by construction of hydraulic pipes.

Table 1 - list of laws broken as per letter to Cr Schrinner and Dr Freeman 20-10-25

Acceptable Outcomes	
AO11	**Numerous**
Performance Outcomes	
PO2	**Numerous**
PO3	**Numerous**
P11	**Numerous**
Planning Scheme Policies	
PSP S7.6.3.1 (1) 30 L/s	10+
PSP S7.6.3.1 (2) 30 Max L/s inc external catchment	10+
PSP S7.6.1 (1)	10+
PSP S7.6.1 (2)	10+
PSP S7.6.5	14+
S 7.6.2 (3)	4+
PSP S 7.3.3.1 - Fraction impervious	8+
PSP S7.5.3.6 - Rainwater tanks not allowed	8+
PSP S7.6.2 - 400mm from low side of kerb	8+
Tables	
Table 7.2.2.23A - Coefficient of discharge	4+
Table 4.5.1 QUDM	4+
Table 7.2.2.3 B - Level III	4+
Brisbane Standard Drawings	
BSD 8111	12+
BSD 8113	12+

Index

BSD 8091 - stormwater pits	2+
BSD 8114 - kerb adaptor	4+
Newtons law of gravity	16+
Laws punishable by possible imprisonment	
S 115 (1) of the Professional Engineers Act 2002	24+
Schedule 2 of the Professional Engineers Act 2002	24+
S15 (1) of the CCC Act 2002	20+
Queensland laws	
S163 Planning Act 2016, 4500 penalty units $751,000	30+
S164 Planning Act 2016,4500 penalty units $751,000	30+
Trespass	3+

Index

44. Susan Hedge and Sara McCabe intentionally placed a fake name on court order 12-12-24

Alleged Contempt of Court

1. It is a criminal contempt of Court by Susan Hedge to knowingly hand a false document to His Honour on 12-12-25, being a proposed Court order for 12-12-24, that was filed by City Legal, with Manteit's name incorrectly spelt.

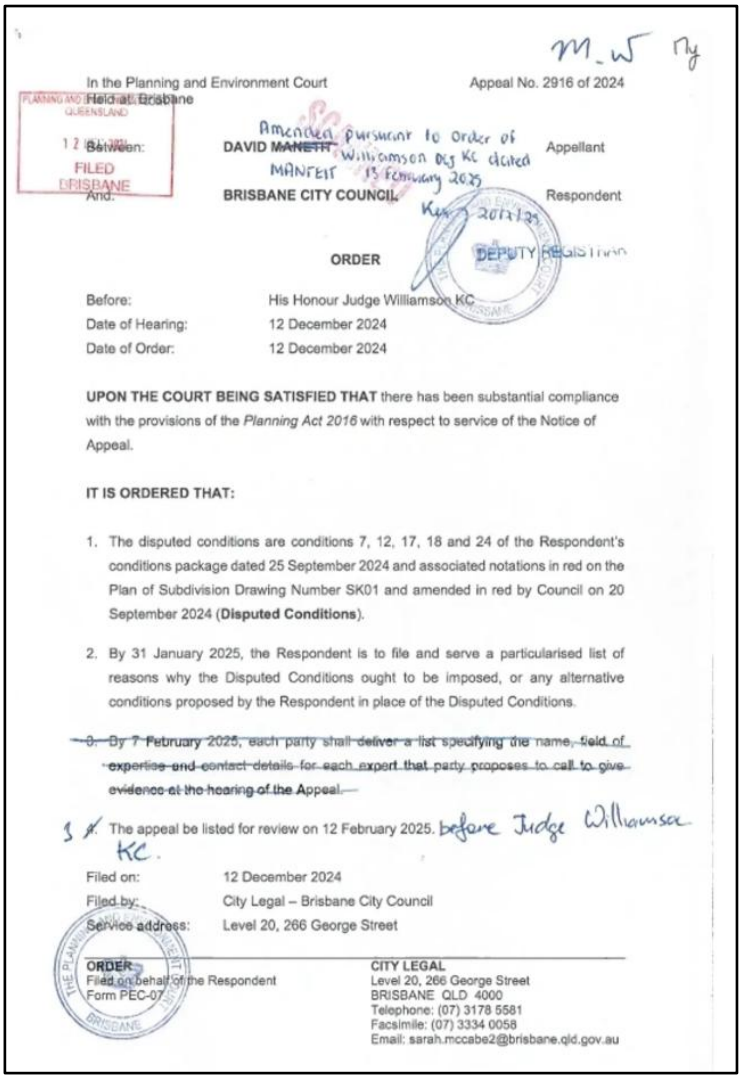
2. It is contempt of Court by Sara McCabe to instruct Susan Hedge to hand that document in 1. To Hid Honour, on 12-2-24.

3. It is a criminal contempt of Court by Susan Hedge to falsely state to His Honour 12-2-25, "its just a typographical error", since Manteit had already given Sara McCabe 3 warnings of contempt of court id she did not fix up the error, including a filed document on 271/25.

4. It is a criminal contempt of Court by Sara McCabe to refuse to notify the Registrar of the incorrect spelling, when McCabe was given 3 warnings of contempt of Court from around 46 days from 12-2-25.

Index

Background to this section.



In the Planning and Environment Court
Held at: Brisbane
Appeal No. 2916 of 2024

FILED
BRISBANE

Between: DAVID ~~MANETH~~ MANTEIT — Appellant
And: BRISBANE CITY COUNCIL — Respondent

Amended pursuant to Order of Williamson DCJ KC dated 13 February 2025

DEPUTY REGISTRAR

ORDER

Before: His Honour Judge Williamson KC
Date of Hearing: 12 December 2024
Date of Order: 12 December 2024

UPON THE COURT BEING SATISFIED THAT there has been substantial compliance with the provisions of the *Planning Act 2016* with respect to service of the Notice of Appeal.

IT IS ORDERED THAT:

1. The disputed conditions are conditions 7, 12, 17, 18 and 24 of the Respondent's conditions package dated 25 September 2024 and associated notations in red on the Plan of Subdivision Drawing Number SK01 and amended in red by Council on 20 September 2024 (**Disputed Conditions**).
2. By 31 January 2025, the Respondent is to file and serve a particularised list of reasons why the Disputed Conditions ought to be imposed, or any alternative conditions proposed by the Respondent in place of the Disputed Conditions.
~~3. By 7 February 2025, each party shall deliver a list specifying the name, field of expertise and contact details for each expert that party proposes to call to give evidence at the hearing of the Appeal.~~
3. The appeal be listed for review on 12 February 2025. before Judge Williamson KC.

Filed on: 12 December 2024
Filed by: City Legal – Brisbane City Council
Service address: Level 20, 266 George Street

ORDER
Filed on behalf of the Respondent
Form PEC-07

CITY LEGAL
Level 20, 266 George Street
BRISBANE QLD 4000
Telephone: (07) 3178 5581
Facsimile: (07) 3334 0058
Email: sarah.mccabe2@brisbane.qld.gov.au

On 12-12-24, Susan Hedge handed Judge Wiliamson KC a fake document, prepared by Sara McCabe, being a request for court orders. This was a proposed court order by Susan Hedge and Sara McCabe, with the Appellant's name spelt incorrectly.

Manteit requested Sara Sara McCabe in writing 3 times to fix this intentional error, otherwise I would consider referring the act to His Honour as being in contempt of court.

Sara McCabe refused to respond.

Manteit even filed a court document on 27-1-25 stating that he has informed Sara McCabe that this should be fixed up or else it would be considered contempt of court.

Sara McCabe still refused to act.

Manteit was forced to notify His Honour Judge Williamson KC on 12-2-25 that -

Susan Hedge lied to Judge Williamson KC at the hearing on 12-2-25 and advised His Honour "just by typographical error."

The act by Sara McCabe and Susan Hedge can only be deemed contempt of court and interference with an appellant to run his case, and in addition defamatory.

This is one of the many example of the Respondent's dishonest practices in their attempts to thwart Manteit's case.

Index

27-1-25 Sara McCabe and Hedge contempt

I request a response to myself from City Legal why all these incorrect statements were made, and the reasons why these statements were made, being incorrect.

Please advise why Sara McCabe has not requested to anyone including the Planning Court to take corrective action to correct the Court Order 12/12/24 appellant name.

Please advise how long you insist on defaming my name and the good name of the Judge and the Registrar.

Sara McCabe was informed of this error by myself on 22/1/25, but still refuses to acknowledge the error, or request the court to take corrective action.

Sara McCabe is an officer of the Court and has a duty to inform the Court of errors as soon as possible.

Why has Sara McCabe refused to acknowledge this mistake, after 46 days?

12-2-25

David Manteit

Your Honour, you were holding a typo on the 12th of December. My name is spelled wrong. We've left the other side now, I bet you. There's no slip rule. 60 days. My name's being defamed. It's in the family tree now. We changed the name in 1879.

Judge Williamson KC

So where is it spelled incorrectly? My name. Where?

Susan Hedge

I can assist Your Honour. On Your Honour's order from 12 December 2024, in that order Mr Manteit's name is spelled incorrectly. Two or three letters are in the wrong order just by typographical error. That's the issue that he's raising with you.

Judge Williamson KC

Okay, well we can fix that.

David Manteit

Well, I would have had an order for Mr McCabe to write an affidavit as to the reasons because we've given that information to her two weeks ago. There's still no response.

Judge Williamson KC

If it's spelled incorrectly, we can quickly deal with it. Is that in the court header? Yes. Can the draft orders include a further order that the court header is amended to say that Mr. Manteit's name is spelled correctly.

Susan Hedge

Index

45. Thwarting and prejudicing of Manteit's case by Schrinner Council, Council employees and the Respondents

This is a public interest litigation"- His Honour Judge Williamson KC

> **JUDGE WILLIAMSON** 24-4-25
>
> Given this is public interest litigation, public interest litigation, my inclination is to let the material in and we deal with it. And what I mean by that is...

Schrinner Council has paid $300,000 for 8 flooded stormwater plans at 128 Ashridge Rd Darra so far. There could be more coming.

The Schrinner Council have intentionally gone about flooding the residents of Darra, in any way they can, from approving 81 metres of flooded stormwater pipes to 200 rainwater tanks in neighbours back yards.

This would have caused nuisance flooding of 410,000 litres per hour, to Darra residents and potential loss of life PSP 7.6.1 (1).

Crime and Corruption Commission alleged "systemic corrupt conduct"

To date, Schrinner Council, Dr Freeman and Cr Schrinner have paid an estimated $300,000+ of ratepayers money by paying and approving unlicenced and corrupt Council employees (systemic case of corrupt conduct alleged by the Crime and Corruption Commission 17/9/25) fake, incompetent or fraudulent engineers, and approving their 8 flooded stormwater plans

> 17-9-25 Crime and Corruption Commission filed 14-1-26
>
> This decision is considered appropriate because all government agencies, including the council, are required to take responsibility, and be held accountable, for the performance and behaviour of their own staff. When making a decision about how to deal with a complaint, the CCC must apply the principles set out in s34 of the *Crime and Corruption Act 2001* (CC Act). One of the key principles is known as 'devolution', and states that actions taken to deal with corrupt conduct, including investigation, should occur in the agency where the conduct is alleged to have occurred. This should happen in all instances, unless it can be established that it is in the public interest for the CCC to deal with the matter.
>
> The CC Act goes further, and in s35 provides the CCC, in performing its corruption function, must focus on the more serious and systemic cases of corrupt conduct.
>
> The CCC has considered the information you have provided and, after applying the principles in ss 34 and 35 of the CC Act, determined the complaint is appropriate to refer to the council.

- Right to Information – 2 flooded stormwater plans
- DA approval – 2 flooded stormwater plans
- Corrigan report – 4 flooded plans

Thwarting and prejudicing of Manteit's case.

Prior to Notice of Appeal

Manteit spent 30 seconds on 26/9/24, analyzing the Council's DA approved Upstream Drainage pipe, 61 metres long.

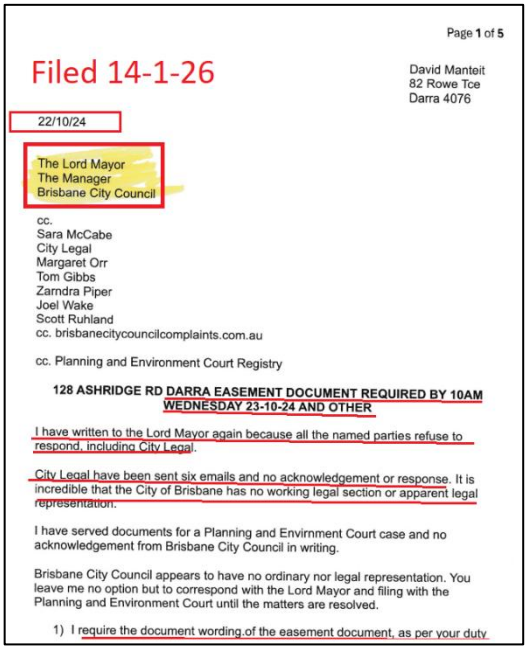
Manteit knew within 5 minutes that he could not build the red lines, as they were flooded by 1.2m

Index

Manteit wrote over 13 letters and over 100 pages including 7 letters to the Lord Mayor, requesting information and gave statements about about the Council employee, flooded Upstream Drainage stormwater pipes that were flooded 1.2m under the Ashridge Rd kerb.

These letters commenced on 1/10/24 with 27 questions asked about the Council easement, and pipe levels, designed by them. Further letters on 10/10/24 and 14/10/24 with all Excel calculations and cross sections displayed of the flooded pipes. (All filed).

- Lord Mayor (7 letters)
- 7 Council employees
- City Legal
- Sara McCabe



Page 1 of 5

Filed 14-1-26

David Manteit
82 Rowe Tce
Darra 4076

22/10/24

The Lord Mayor
The Manager
Brisbane City Council

cc.
Sara McCabe
City Legal
Margaret Orr
Tom Gibbs
Zarndra Piper
Joel Wake
Scott Ruhland
cc. brisbanecitycouncilcomplaints.com.au

cc. Planning and Environment Court Registry

128 ASHRIDGE RD DARRA EASEMENT DOCUMENT REQUIRED BY 10AM WEDNESDAY 23-10-24 AND OTHER

I have written to the Lord Mayor again because all the named parties refuse to respond, including City Legal.

City Legal have been sent six emails and no acknowledgement or response. It is incredible that the City of Brisbane has no working legal section or apparent legal representation.

I have served documents for a Planning and Envirnment Court case and no acknowledgement from Brisbane City Council in writing.

Brisbane City Council appears to have no ordinary nor legal representation. You leave me no option but to correspond with the Lord Mayor and filing with the Planning and Environment Court until the matters are resolved.

1) I require the document wording of the easement document, as per your duty

Freeman and Schrinner have refused to respond to Manteit themselves to those flood warning and legal warning letters from Manteit and further, and they have also instructed Council employees, City Legal and Sara McCabe to refuse to respond.

That conduct by Freeman and Schrinner is dishonest to refuse to to the core. There is no escaping. There is no other Council in the world who would adopt such practices.

The Council employee stormwater red lines and fill conditions were engineered by Council employees, requiring an RPEQ licence. An RPEQ should not cause unlicenced engineering or prepare plans that are unsatisfactory professional conduct.

The documents were Council employee authored engineered source documents, not authored by Manteit.

These source documents were authored by Council, not Manteit. Manteit had a right to know certain information about those stormwater plans, especially since Manteit knew they were flooded, under Ashridge Rd and could cause loss of life to Schrinner Council Brisbaneites.

These plans were flooded and prepared by unlicenced Schrinner Council employees. Corrupt conduct and unsatisfactory conduct.

Schrinner Council, Schrinner and Freeman could have called it quits there. Manteit told that to the Lord Mayor of Brisbane that if one of those emails was responded to, there would never have never been a court case costing the ratepayers over $300,000.

But they held their cards for another 7 months, until they were caught out by their own winemaster witness Corrigan.
and Manteit engineer.

Index

Corrigan Report

5 hearing minutes before the trial, on 24-4-25. Hedge stated

Hedge “Council pipes don’t work. They are flooded”

2 minutes later

Corrigan has another 2 flooded stormwater plans that also flood, but you can fix them up with some fill.

Schrinner Council paid for winemaster Corrigan to prepare four more upstream drainage plans –

30-4-25 Hedge" Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should"

Susan Hedge

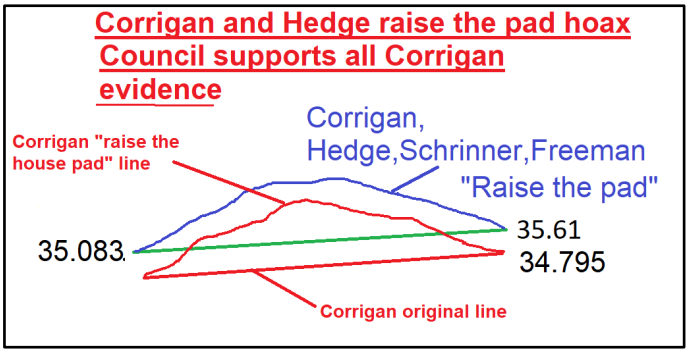
Yes, I agree. Assuming that you're going to accept the evidence of Mr Corrigan. And of course I say that you should.

- Corrigan report -2 flooded plans
- Corrigan witness stand – 2 more flooded plan

Corrigan and Hedge agreed his plans were flooded, but the secret is to “buckle” the pipe in the middle but not at the ends, so they tried to con the Planning Court with that idea.

That hoax doesn’t save them.

Inciting of breaking of laws by Corrigan



Susan Hedge held the cards

Schrinner Council and Hedge had cards for 7 months, since 1/10/24.

24-4-25. Schrinner Council and Hedge put "all the cards" on the table.

SUSAN HEDGE

"That won't work"

So, less than the trigger for accessible development. And perhaps, can I just put all the cards on the table to assist, Your Honour? Mr. Corrigan... So, the Civil Works Engineers report says that where the red line is, the indicative line on the plan, that that won't work.

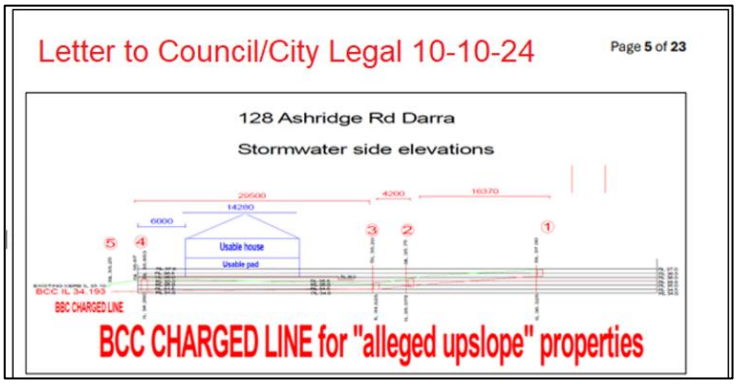
Hedge put the cards on the table, on 24-4-25.

Index

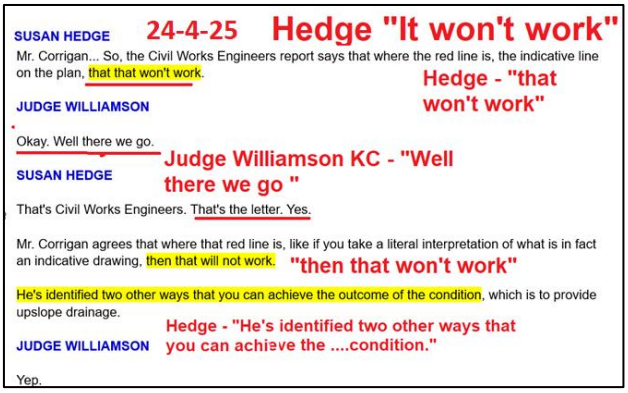
24-4-25 “It won’t work”

The charade by Schrinner Council, was up. took 7 months to come clean that the Upstream Drainage pipes were flooded, by 1.2m under Ashridge Rd Kerb.

Manteit 10/10/24 - “flooded 1.2m’



Hedge 2/-4/25 - “flooded 1.2m”



Pipes can go straight though the middle of the block” - Hedge

Schrinner Council, Schrinner, Freeman were desperate to cover their tracks by instructing Hedge to con the Planning Court by pretending that Council’s stormwater pipes could go straight through the middle of the block,

Contempts of Court

There are over 100 alleged Contempt of Court allegations in this application.

1. Dr Freeman and Cr Schrinner have continued to thwart Manteit’s ability to subdivide the block and any future Council application by Freeman’s office falsely stating that a refund would be given to Manteit. This never happened so Manteit was forced to

Index

24-4-25. 5 business minutes before the start of the trial.

His Honour Judge Williamson had not read one word of evidence to be relied upon by Council, as of 5 minutes before the trial.

JUDGE WILLIAMSON

We should be able to get to the bottom of this pretty quickly.

24-4-25, 5 minutes before the trial
Judge Williamson - "I'll call them Primary Documents, like contour plans and the like. which we'll have on Mondav to have a look at."

JUDGE WILLIAMSON

Judge Williamson had never read any of Council contour plans until 5 minutes before the trial.

And by reference to... that I suspect are, I'll call them primary documents, like contour plans and the like, which we'll have on Monday to have a look at.

SUSAN HEDGE

Yes. Well, I do have, in fact, Your Honour, working copies of the reports of Mr Corrigan and Mr Ryan, which have been filed. They were filed on the 23rd of April, yesterday. But I have a working copy for Your Honour, if you would find that helpful.

JUDGE WILLIAMSON

Yes, I will take the working copies, if you don't mind, because I have working copies of Mr. Monty's material. I have hard copies of all of Mr. Monty's material.

SUSAN HEDGE

I see.

24-4-25, 5 minutes before the trial - Judge Williamson "Yes, (to Susan Hedge) I will take the working copies, if you don't mind"

JUDGE WILLIAMSON

Yes, so I will take those.

5 minutes before the trial, Judge Williamson took working copies from Susan Hedge because he hadn't read any of Council's material to be relied upon.

Conclusion

There can be no other conclusion that Manteit's case has been thwarted by the Respondents.

Index